



## WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

### GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Silvia R. Jackson

Name of Individual Certifying this Document/Proposed Document

DOC Reentry Director

Title

Silvia R. Jackson

Signature

June 9, 2020

Date Signed

Department of Corrections – Wisconsin  
Office of the Secretary  
Wis. Stat. § 227.112(6)  
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Department of Corrections  
Division of Adult Institution  
Electronic Case Reference Manual Amendments  
June 2020 Publication

1. DAI > Intake > Intake COMPAS > Getting into COMPAS > Production Site: Language removed about Log In and Password process. Language added stating where the COMPAS link can be found on My DOC
2. DAI > Intake > Intake COMPAS > Getting Into COMPAS > Training Site: Training site page removed as it was a duplicate to what was on production site
3. DAI > Intake > Intake COMPAS > COMPAS Home > Adding/Removing an Inmate to Caseload: Language, sentence amended explaining staff can add inmate to their COMPAS caseload.
4. DAI > Intake > Intake COMPAS > COMPAS Home > Viewing Inmates: Amended table of content language from Viewing Multiple Inmates to Viewing Inmates. Also, language amended describing how the home page will look and the training requirement needed to access COMPAS
5. DAI > Intake > Intake COMPAS > Assessment Tools: Table of Contents amended. The word COMPAS was removed from the assessment titles and proper titles of assessments added.
6. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Core > Interstate Corrections Compact and Inter-Governmental Agreements Inmates: Bullet list removed.
7. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Core > Updating COMPAS Assessment on Certain DCC Inmates: Sentence structure and grammar amended.
8. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Core > When to Complete a Core: Language amended from “will” to “may” complete a Core Assessment if pending charges are filed after the Initial Classification process. Language amended providing process for Offender Classification Specialist and Social Worker if it is determine a new Core Assessment is required due to new conviction. Chart labeled “COMPAS Core Status and Direction to IC OCS Staff” was removed and a new “Initial Classification Business Process” chart was added. The New Initial Classification Business Process chart includes time lines for assessment based on the remaining time the inmate has to serve.
9. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Core: Language added stating COMPAS core assessment will be completed at an intake facility or post intake facility. Removed language stating core assessment is completed at DCI and TCI.
10. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Primary Needs (WPN): Header amended from Wisconsin WPN to Wisconsin Primary Needs (WPN). Language added stating the WPN is utilized in some situations related to Interstate Compact cases.
11. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Women’s Core: Gender-responsive language amended (sentence structure). The chart listing the needs identified through the women’s risk/need assessment was removed. Added is bullet list of needs that can be identified through the assessment.
12. DAI > Intake > Intake COMPAS > Assessment Tools > Wisconsin Youth V2: Heading amended from COMPAS Youth to Wisconsin Youth V2. Language added identifying the role of Bureau of Offender Classification and Movement, Offender Classification Specialist in collaboration with DJC Social Worker and the completion of Youth assessment if the youth is under 17 YOA. If the youth is 17 YOA than a COMPAS Core assessment will be administered by the Offender Classification Specialist.

Language removed referencing the COMPAS assessment being completed when an inmate reaches 18 YOA.

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Language added regarding the process for lifecycles when a youth enters a DAI facility and has an open juvenile case.

Language removed regarding utilization of Core and DAI Legacy for youth under 18 YOA

13. DAI > Supervision > Sex Offender Registration (SOR) and Special Bulletin Notice (SBN) and Global Positioning System GPS: GPS added to the table of contents for Supervision. Language added explaining State Statutes authorizing the use of GPS for certain sex offenders. Responsibilities added for social workers added along with references and resources.
14. DAI > Intake > Supervision > Discharge > Inmate Death: New page on inmate death added. Language covers the process for release of PHI to next of kin.
15. DAI > Intake > Supervision > Media Contacts: New page on media contacts added. Language covers process for staff when contacted by the media.
16. DAI > Discharge > Veteran's Services: New page on veteran's services. Language covers assisting inmates with veteran services for when discharged from DAI.
17. DAI > Supervision > Discharge > Mental Illness Chemical Abuse (MICA): New page added to discharge section. Language covers role of a social worker referring individuals for the MICA dual diagnosis program between 9-36 months to anticipated release date.
18. DAI > Intake > Supervision > International Transfer: New page added to intake and supervision. Language covers what the role of the social worker is when they receive such a request from an individual.
19. DAI > Intake > Supervision > Discharge > PREA: Language amended to include if an individual chooses not to report, they can dial #999 to talk to a sexual assault service provider for support.

## **Getting into COMPAS**

### Production Site

This site is used for users who have completed training and have access to COMPAS. Users will receive an email from Northpointe that the user's COMPAS account is active. If you need assistance logging in, contact your institution's site coordinator.

The link to the Northpointe COMPAS site can be found on MyDOC under Applications → My Apps → Offender Management Applications → COMPAS



DAI > Intake > Intake COMPAS > Getting into COMPAS > Training Site

This page was removed

**Adding/Removing an Inmate to Caseload**

This option is available to all users which allows all users to place the inmate's name as a shortcut on the user's caseload on the home page. Users have to manually add or remove the inmate from the user's caseload from the Person Summary page.

DAI > Intake > Intake COMPAS > COMPAS Home

## **COMPAS Home**

[Reason for Viewing Record](#)

[Searching for an Inmate](#)

[Viewing Inmates](#)

[Adding/Removing an Inmate to Caseload](#)

The COMPAS Home page opens after logging in and displays the last 10 cases opened. Users who attended the 2-day COMPAS training have the abilities to customize their dashboard to include more specific details about their cases managed.

## Assessment Tools

[Wisconsin Youth V2](#)

[Wisconsin Primary Needs](#)

[Wisconsin Core](#)

[When to Complete a Core](#)

[Interstate Corrections Compact and Inter-Governmental Agreements Inmates](#)

[Updating COMPAS Assessment on Certain DCC Inmates](#)

[Wisconsin Women's Core](#)

There are seven main COMPAS assessments used by the Department of Corrections within the Northpointe suite, as well as, County COMPAS assessments and many supplemental assessments such as the URICA, TCU Drug Screening, TCU Criminal Thinking, Static-99R, etc.

- Wisconsin Youth V2
- Wisconsin Primary Needs (WPN)
- Wisconsin Core
- Wisconsin Women's Core
- [Wisconsin DAI Legacy](#)
- [Wisconsin Reentry](#) Wisconsin Women's Reentry (create as a hyperlink)

DAI > Intake > Intake COMPAS > Assessment Tools > Interstate Corrections Compact and Inter-Governmental Agreements

**Interstate Corrections Compact (ICC) and Inter-Governmental Agreements (IGA)**

An assessment should be completed on an inmate received from another state or when a Wisconsin inmate is returned from an out of state placement. Use the information outlined in the Assessment Tools section to determine the most appropriate assessment to complete.

### **Updating COMPAS Assessment on Certain DCC Inmates**

This is a cooperative effort between DCC and DAI, with our mutual Business Processes synchronized to give staff in both divisions the same message.

DCC Process:

The assigned DCC agent will complete the static portion (Questions 1-30) of the COMPAS Core-Incarcerated Language assessment following the decision to revoke when:

- A new criminal arrest prompted one of the allegations, **and**

The offender is facing or has the potential to face prison confinement. For example, an offender with an imposed and stayed prison sentence who also has a new criminal arrest prompting one of the allegations, the static portion of the Core should be completed. If an offender has a withheld felony sentence and also has a new criminal arrest prompting one of the allegations, the static portion of the Core should be completed.

- Formal institution ATR's where new criminal arrests resulted in the ATR.

If the previous assessment completed was a WPN or ReEntry, the agent should use the create function to forward and update the static information into a new Core assessment. The create function copies only the static information from the official records section. In the Reason for Assessment field, the agent should choose "revocation update required".

The updated assessment must be completed by the agent within thirty days of the service of the DOC-414.

This assessment will show as "incomplete." An Assessment note must be entered by the agent for all cases where the offender is facing or has the potential to face prison confinement. This note will make it clear for DAI the reason an assessment was or was not completed. For example:

- Assessment not updated: no new criminal arrest.
- Assessment updated: new criminal arrest.

If the offender is not revoked, the agent will complete the remaining sections of the Core assessment within 60 days of the decision not to revoke.

Instructions for DAI:

If the offender is revoked and has an incomplete COMPAS Core, DAI will complete questions 31-137 of the assessment at Initial Classification. The Offender Classification Specialist (OCS) will update/complete the assessment, regardless of whether it is in Community Language or Incarcerated Language. At no time will the Incomplete Core be left unfinished.

Prior to completing the assessment, the assigned OCS will transfer the case to DAI then review and update the appropriate fields in the Screening Information Wizard including the screener name and location. Upon completion of the assessment, the OCS will enter an Assessment Note in COMPAS.

### **When to Complete a Wisconsin Core**

There are occasions where pending charges are filed *after* the Initial Classification process has been completed and the inmate has been transferred to another site. Should this occur, resulting in a conviction, a Core assessment may be needed to determine appropriate program needs and provide the foundation for the UCP.

At the time of reclassification, the Offender Classification Specialist shall review new conviction information in preparation for the reclassification hearing and refer to the assigned case manager to determine if a new Core assessment is needed. If it is determined that a new assessment is needed, the assigned case manager will complete the Core assessment and notify the Offender Classification Specialist when it is ready for review.

The results shall be utilized at the next classification hearing to review the program assignments and modify as needed.

<b>Time Left to Serve</b>	<b>Initial Classification Business Process</b>
0-6 months	<ul style="list-style-type: none"> <li>➤ Do not complete a new assessment.</li> <li>➤ Do not assign programs.</li> </ul>
6-12 months	<ul style="list-style-type: none"> <li>➤ If there is no prior assessment, a Core assessment will not be completed unless:                             <ul style="list-style-type: none"> <li>• Eligibility exists for CIP, ERP, RRS, Parole.</li> </ul> </li> <li>➤ If an incomplete Core assessment exists, complete the remaining portion of the assessment and assign programs.</li> <li>➤ If there is a prior assessment, those results (regardless of age) will be used to assign programs, but no new assessment will be created.</li> <li>➤ If the previous assessment is from a closed lifecycle or the inmate does not have any prior assessment, the Core assessment will be completed within 90 days of reception at the inmate's permanent site, followed by completion of initial case plan.</li> </ul>
1-5 years	<ul style="list-style-type: none"> <li>➤ If no assessment is available or last assessment is part of a closed lifecycle, complete a Core assessment.</li> <li>➤ If a Core or Legacy assessment (&lt; 2 years old at time of staffing) is available and not part of a closed lifecycle, use the results of that assessment to assign programs.</li> <li>➤ If a Core or Legacy assessment exists but is &gt; 2 years old at time of staffing, complete a new Core assessment and assign programs.</li> </ul>
Greater than 5 years	<ul style="list-style-type: none"> <li>➤ If a Core or Legacy assessment (&lt; 2 years old at time of staffing) is available use the results of that assessment to assign programs.</li> <li>➤ If no assessment is available, it will be completed within one year of receipt at the permanent site.                             <ul style="list-style-type: none"> <li>• Do not assign primary programs at this time with the exception of academic, vocational and SOT.</li> <li>• Include the following statement when not assigning programs:</li> </ul> </li> </ul>



	<i>Per DAI business process, due to sentence structure, a COMPAS assessment was not completed at the time of the initial classification hearing. Therefore, programs will not be assigned and will be reviewed at a later date.</i>
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\*For inmates who are between 6 months and 5 years from release, an RNS or a County assessment will not be utilized to assign programs. A new Core shall be completed.

**Wisconsin Core**

Effective January 2012, inmates shall have a COMPAS Core assessment as a part of the Classification process. This may occur at an intake facility or post intake facility based on current guidelines of When to Complete a Wisconsin Core assessment. The results shall be utilized to identify program needs, determine enrollment priority, and build the Unified Case Plan (UCP.)

**Wisconsin Primary Needs (WPN)**

The WPN content is included within the Core, and provides the Risk Scores and a few of the Criminogenic Needs scales. DAI discontinued the use of this assessment in 2012; however, DCC still utilizes the WPN in some situations related to Interstate Compact cases.

### **Wisconsin Women's Core**

As the Wisconsin Department of Corrections (DOC) continues to implement evidence-based risk/need assessment protocols, research suggests it is important to adhere to gender-responsive practices. Gender-responsive research demonstrates that men and women have a series of shared criminogenic risk factors and a series of separate risk factors specific only to women.

The addition of the Women's Risk/Need Assessments to the NorthPointe suite enables Wisconsin DOC to:

1. Gain additional gender-responsive needs information at an aggregate level to inform future treatment services.
2. Apply gender-responsive assessment principles to the targeted female offender population.

The Women's risk/needs assessments will enable identification of such needs as:

- Trauma and abuse
- Unhealthy relationships
- Parental stress
- Anger/hostility
- Current mental health symptoms

The Women's Risk/Needs Assessment results will delineate each inmate's strength scales, such as self-efficacy, family support, educational strengths and parental involvement. Inmate strength and needs scales will be used to promote and ensure gender responsiveness in correctional practices including, but not limited to, inmate classification, unified case planning, and program assignment and delivery.

### **Wisconsin Youth V2**

As a rule, youth under the age of 18 will initially be incarcerated in a DJC facility. The designated Bureau of Offender Classification and Movement Offender Classification Specialist (OCS) in collaboration with the DJC social worker, shall create the youth case and complete the COMPAS Youth V2 assessment if the youth is under the age of 17. If the youth is 17 years old, a COMPAS Core assessment will be administered by the OCS at the time of the initial classification hearing.

Refer to the DJC Business Process for the rules pertaining to completing a COMPAS Youth V2 Assessment.

If a youth enters a DAI facility with an open juvenile COMPAS case, the juvenile case shall remain open until the case discharges at which time DJC shall close the juvenile case. The DAI staff member will create a subsequent adult case (e.g., SID#-2) and document in notes. There will be two active lifecycles for the individual until the juvenile order is discharged.

When the inmate reaches age 18 and is transferred from Lincoln Hills School (LHS) or Copper Lake Girls School (CLGS), a brief placement at DCI or TCI, respectively will occur to provide an orientation to DAI. During this time, if the last assessment is a COMPAS Youth assessment, the assigned OCS will complete the appropriate COMPAS assessment, regardless of type using the guidelines below:

- If the inmate served less than 1 year at the juvenile facility, administer the Core.
- If the inmate served 1 year or greater at the juvenile facility, administer the DAI Legacy.

**Sex Offender Registration (SOR), Special Bulletin Notice (SBN) & Global Positioning System (GPS)**

DAI shall ensure convicted sex offenders register. Registration serves as a means for monitoring and tracking, providing registry information to law enforcement, victims, organizations and the public to promote public safety and help detect and prevent crime. All offenders convicted of any included offense defined under WI Statute s. 301.45 or whose compliance is mandated by the court shall be required to register with the Department of Corrections.

Offenders whose conviction/adjudication/commitment emanates from another state may be required to register in Wisconsin.

The legislature passed 2005 Wisconsin Act 431 and 2007 Wisconsin Act 20 requiring certain serious sex offenders to be monitored by GPS tracking upon their release from prison (parole, extended supervision, maximum discharge); or, upon being placed on probation for a serious child sex offense; or, upon being granted supervised release; or being discharged from a Wisconsin State Statute Chapter 971 or Chapter 980 commitment. GPS tracking is a method the DOC uses to actively monitor and identify one's physical location 24 hours a day. The system also reports and records one's locations related to exclusion and inclusion zones.

**Social Worker/Treatment Specialist Responsibility:**

Complete the Sex Offender Registration electronically with the use of SORT and a signature pad.

When technology does not allow, you may use the paper DOC-1759 and mail it to WI DOC Sex Offender Registry.

Read Requirements #1-11 to inmate/registrant. Registrant should initial besides each requirement after being informed of the requirement. Obtain registrant signature to acknowledge registration requirements have been read to the individual. If registrant refuses to sign, write "REFUSES TO SIGN" and notify SOR. It is necessary to complete these sections before release from prison.

Social Worker shall sign to acknowledge registration requirements have been reviewed with registrant and provide signed copy.

Sex Offender Registration shall be completed and forwarded to SORP at least 10 days prior to release except if cases are identified as a Special Bulletin Notice (SBN). If cases are identified as SBN the SOR shall be completed/forwarded to SORP at least 44 days prior to release.

WI Statute s. 301.46 requires the Department of Corrections to notify local law enforcement of the anticipated release of any sex offender who has been convicted of two or more registerable sex offenses or the same registerable offense two or more times and also of any sex offender committed as a Sexually Violent Person under Chapter 980.

Inmate releasing on maximum discharge or to detainer/interstate compact are also required to register as above.

If inmate is required to be placed on GPS:

Inform inmate of the GPS requirement.

Provide inmate with POC-0100-A Guide for Sex Offenders on Lifetime GPS Tracking in Wisconsin.

If inmate is maximum discharging from prison or supervised release, review statutory authority and requirements with inmate 10 days prior.

Obtain inmate signature on DOC-2562-Maximum Discharge Lifetime GPS Requirements. Provide copy to inmate, inmate file and send original to Sex Offender Registry Attention: GPS Specialist.

Resources/Reference:

2011 Wisconsin Act 266

WI Statute s. 301.45 – Sex Offender Registration

WI Statute s. 301.46 – Sex Offender Community Notification Law

WI Statute s. 301.48 - GPS and residency requirement for certain sex offenders

WI Statute s. 301.49 - GPS tracking for persons who violated certain orders or injunctions

DAI Policy 300.00.45 – Sex Offender Registration and Community Notification Law

DOC-2496 Special Bulletin Notification

DOC-2562 – Maximum Discharge Lifetime GPS Requirement

POC-0100-A Guide for Sex Offenders on Lifetime GPS Tracking in Wisconsin

POC-0101 – Instructions for Completing the Paper Wisconsin Sex Offender Registration Form  
DOC-1759

POC-0042 – What You Need to Know About Your Reporting Requirements as a Registered Sex Offender in WI (brochure)

SORT – Sex Offender Registry Tool (found on myDOC/Applications)

### **Inmate Death**

The Division of Adult Institutions shall ensure specific action is taken in the event of an inmate death. This shall include completion of proper notification, documentation and review of the death.

A court order, subpoena or search warrant signed by a judge is required to authorize the DOC to disclose PHI to law enforcement.

Next of kin may obtain a copy of the autopsy from the medical examiner.

Next of kin may obtain copies of the death certificate from the Department of Health Services, State Vital Records Office, PO Box 309, Madison, WI 53701-0309.

### **Social Worker/Treatment Specialist Responsibilities:**

Based on facility procedure, may provide notification to emergency contact and next of kin. Emergency contact and next of kin information can be found in WICS.

If the next of kin or emergency contact requests PHI, refer the individual to the HIPAA Compliance Officer. It should be noted that a previously signed DOC-1163A-Authorization for Use and Disclosure of PHI, does not survive death. If the next of kin cannot be found, make efforts to notify relatives. If, after due diligence, no next of kin or emergency contact is located, efforts may cease.

### **Reference/Resources:**

DAI Policy #300.00.09 – Death of Inmate



## **Media Contacts**

### **Overview:**

It is the goal of the Department of Corrections to make staff, inmates, visitors, volunteers, and others available for interviews with members of the media to further public understanding of operations and to open correctional facilities to media access whenever possible.

Members of the media shall have at least the same access as members of the public to inmates, including but not limited to inmate mail, the inmate phone system or in-person visitation.

Only designated DAI staff may speak on behalf of the DOC – DAI Administrator, DAI Assistant Administrator(s), Bureau Director(s), Warden(s) of DOC correctional facilities. Other DAI staff may participate in media interviews with the approval of the DOC Communications Office.

DAI staff shall report media contact and refer members of the media to the DOC Communications Office at [DOCMedia@wisconsin.gov](mailto:DOCMedia@wisconsin.gov) or 608-240-5060.

DAI staff, inmates, volunteers, visitors, and others must consent to an interview while inside a DOC facility or under the auspices of DOC operations, which includes any audio or visual depiction or other information that identifies an individual.

### **Social Worker/Treatment Specialist Responsibilities:**

Only allowed to speak to the media on behalf of DOC with approval from the DOC Communications Office after completing a DOC-1927B.

Refer to your facilities procedure regarding reporting media contacts.

### **Reference/Resources:**

DAI Policy #300.00.79 - Media

Wisconsin Administrative Code s. DOC 309.03 – News Media Access to Inmates

DOC-1927 – Inmate Media Consent and Liability Waiver

DOC-1927B – Staff Media Consent and Liability Waiver

## **Veteran's Services**

### **Overview:**

Upon intake at both DCI and TCI individuals will be asked as to whether or not they are veterans of the United States Military. Individuals who self-identify as veterans will be marked as such in WICS. Incarcerated Veterans at both reception sites are provided a brief orientation from VA staff regarding benefits, programming, and how their incarceration impacts these provisions.

### **Social Worker Responsibilities:**

Social Workers may assist incarcerated veteran's with obtaining their DD-214 by providing them the SF-150 form to be completed. Social Workers may collaborate with local agency staff that visit their site to assist incarcerated veterans as they near release. This may include Veteran's Service Officers, DWD staff, and Veterans Affairs staff.

Contact your institution's Veteran's Coordinator for more assistance.

### **Resources/References:**

ED 69 – Veteran's Services and Benefits for Eligible Offenders

## **MICA (Mental Illness Chemical Abuse – Dual Diagnosis Program)**

### **Overview:**

MICA Program is a 36 to 44 week Dual Diagnosis Residential structured program available to those men assessed with a Dual Diagnosis treatment need. MICA consists of twenty-five beds in a modified therapeutic community. Treatment interventions are delivered by a multidisciplinary team focusing on evidence based practices. A high degree of structure and support is employed in the program that teaches the participants how to address/improve their management of both disorders, as well as address their criminogenic needs. MICA is also an earned release program for men eligible to be released upon program completion.

### **Social Worker Responsibilities:**

Social Workers may refer individuals who meet the criteria for program participation to PSU staff between 9-36 months to anticipated release date.

### **Resources/References:**

DAI 500.70.23 Dual Diagnosis Referrals

## **International Transfer**

### **Overview:**

The Wisconsin DOC may consider transfer of an individual who is a citizen or national of a foreign country. The transfer of the individual must be voluntary and agreed upon by both countries. The individual seeking transfer must have a minimum of 60 months left until release to process the request – the receiving country must also guarantee the individual will be incarcerated for the entire remaining Wisconsin sentence.

### **Social Worker Responsibilities:**

Social workers shall receive the request packet from the inmate to include the DOC-2611A, DOC-2611B and proof of citizenship. Social worker shall complete the packet as outlined in the policy and forward the completed pack to the International Prison Transfer Treaty Administrator.

### **Resources/References:**

DAI 302.00.03 International Transfer of Inmates

## **Prison Rape Elimination Act (PREA)**

### **Overview:**

The Prison Rape Elimination Act (PREA) was passed in 2003. The law created the National Prison Rape Elimination Commission (NPREC) and charged it with developing standards for the elimination of sexual abuse in confinement. The law required the Department of Justice (DOJ) to review the NPREC standards, make revisions as necessary, and pass the final standards into law.

The final rule became effective on August 20, 2012. The national standards were established to prevent, detect, and respond to sexual abuse and sexual harassment in confinement.

The Wisconsin Department of Corrections maintains a zero tolerance standard for sexual abuse and sexual harassment.

Under the Office of the Secretary, the PREA Office of the Wisconsin Department of Corrections is responsible for education, interpretation, compliance, investigations, auditing and data collection.

**Inmate Education** – Inmates shall receive education during the intake process and document receipt of such education in WICS using a signature pad.

**Risk Screening** – Screenings shall be conducted within 72 hours of admission and again within 30 days. Inmates shall also be rescreened when the facility receives new information that might bear upon their safety.

**Sexual Abuse Incident Reviews** – A team consisting of facility leadership, investigator(s), medical/mental health, and victim services coordinator(s) (VSC) shall conduct reviews within 30 days of the close of the substantiated and unsubstantiated sexual abuse investigation.

**Retaliation Monitoring** – VSC shall monitor inmates who allege sexual abuse for a period of at least 90 days (at least one status check every 30 days), or until the allegation is determined to be unfounded.

**Staff Training** – All staff, volunteers and contractors who have contact with inmates are shall receive PREA training.

If an inmate experiences, witnesses or suspects sexual abuse or sexual harassment they can report in ANY of these ways:

Tell ANY staff person

Send a request to ANY staff person

Call the PREA reporting hotline (#777 reports to DOC, #888 reports to agency outside of DOC)

DAI > Intake > Supervision > Discharge > PREA

Tell a family member, friend or outside support person; they may report on the inmate's behalf by telling any staff person or submitting a report at [www.doc.wi.gov](http://www.doc.wi.gov) (click on 'Prison Rape Elimination Act')

File an inmate complaint

Contact local law enforcement

**If an individual chooses not to report, they can dial #999 to talk to a sexual assault service provider for support.**

#### **Social Worker/Treatment Specialist Responsibilities:**

If an inmate reports sexual abuse while confined you shall notify a security supervisor immediately. If the alleged abuse occurred within or around 120 hours, request that the alleged victim not take any actions that could destroy evidence (e.g. brush teeth, shower, use toilet, change clothing, drink or eat). Act to protect the offender from immediate harm. Gather basic information about the offender's risk. Document the reported allegation, any concerns, notifications made and response by completing an incident report in WICS. Apart from reporting to designated supervisors, staff shall not reveal any knowledge, suspicion or information related to sexual abuse other than to the extent necessary to make treatment, investigation and other security and management decisions.

#### **References/Resources:**

Executive Directive #72

DAI Policy 410.30.01

DOC-2781B – PREA Screening Tool Male Adult

myDOC (Directories\Central Office\Prison Rape Elimination Act)

POC-0041 – Sexual Abuse Inmate Handbook PREA

POC-0054 – Preventing Sexual Misconduct and Harassment PREA

POC-0099 – Acknowledgment of Receipt of Access to Information PREA Education

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1. COMPAS Business Process > DCC COMPAS FAQ: This section is deleted as the FAQs have been incorporated in the Assessment chapter or the Help tab in COMPAS.
2. Intake > DCC Intake > Assessment Process: Language removed from DCC COMPAS FAQ section of ECRM and incorporated here. Language added concerning the need to complete a Portal 100 every time an assessment is completed. Language was updated concerning which override reasons may be selected associated with changes in COMPAS.
3. Supervision > DCC Supervision > Supervision Process > Accessing Offender Programs and Services > Community Corrections Employment Program: Language was added concerning workflow for the referral process.
4. Supervision > DCC Supervision > Supervision Process > Case Supervision Review (CSR): Language was updated concerning which override reasons may be selected associated with changes in COMPAS.
5. Supervision > DCC Supervision > Supervision Process > Interstate Compact: The chapter was updated to reflect recent rule changes published by the Interstate Commission for Adult Offender Supervision.
6. Supervision > DCC Supervision > Supervision Process > Revocation: Post Preliminary Hearing, section.09 Competency Concerns was updated to specify timeframes applicable to treatment to regain competency.
7. Supervision > DCC Supervision > Supervision Process > Prescription Drug Monitoring Program: This is a new section under the supervision process. The ePrescription Drug Monitoring Program (ePDMP) is web based and maintains data about controlled substance prescriptions that are dispensed. Designated staff will submit a Patient Query request to the Department of Safety and Professional Services (DSPS) and DPSP will conduct a legal review of the query and provide requested information.
8. DCC > Supervision > Supervision Process > Early Discharge: The DOC 2604 will no longer be used for the Probation Early Discharge process.

This section will be deleted and all FAQs will be incorporated in the assessment chapter and/or the help tab in COMPAS



## INTAKE\DCC\ASSESSMENT PROCESS

### ASSESSMENT PROCESS

#### Assessment Overview

#### Entering Cases in COMPAS

#### Choosing the Lifecycle

#### Completing the COMPAS Assessment

#### Alternative Screening Tools

#### Overrides

#### Testimony Related to COMPAS

#### Assessment Overview

Research indicates that recidivism can be reduced when risk, need, and responsivity are addressed.

- **Risk** – Research shows that the level of supervision and programming provided to individuals is most effective in reducing recidivism when we focus interventions on medium and high risk individuals. For this reason, assessment of risk is used to determine the appropriate supervision level.
- **Need** – Criminogenic needs are attributes of individuals that are directly linked to criminal behavior. Effective correctional treatment should target criminogenic needs in the development of a comprehensive case plan. The chart below shows the eight criminogenic needs that, when targeted through programming and other interventions, reduce recidivism:

CRIMINOGENIC NEEDS				
<b>The Top Four</b>	Anti-Social Beliefs	Anti-Social Companions	Temperament/Self Regulation	Family Stressors
<b>The Other Four</b>	Substance Abuse	Employment	Education	Leisure/Recreation

- **Responsivity** – People respond to interventions in different ways based upon their personal traits and circumstances. Factors to consider with responsivity are functional

ability (cognitive deficits, attention span), learning style, level of motivation, mental health, limited English proficiency, cultural background, and gender. Matching individuals to service providers and programs that work well with these areas, results in greater success.

The assessment of risk and need determines the appropriate supervision level for each individual. This is accomplished by completing the [COMPAS assessment](#). COMPAS does not replace professional judgment on the part of the agent who is using the tool as part of the decision-making process. This supervision level can be overridden by means of the screener and actual supervision recommendation in COMPAS.

*Entering Cases in COMPAS:* Before the individual can have a [COMPAS](#) assessment done, the case must be set up in [COMPAS](#). If a [COMPAS](#) assessment was previously completed by an outside agency and the individual record is under that agency's security access, the agent has "read only" access. The DCC OOA has security access to transfer primary access to the agent. This is done by transferring the individual at both the Individual and the Case level and has to be done by the primary agency.

Instructions for Agency Transfer: Open the person's record in [COMPAS](#) then go to Person Summary page (left side option). Under "Person Summary" option on right, click Actions and choose the drop down option of "Transfer" and fill in the instructions to transfer the individual to DCC. Next, down at the bottom on the right, choose the active "Case Manager" option, then click on the active case and click "Actions" next to the "Case Information." Choose the drop down of "Transfer" and transfer the case there also.

*Choosing the Lifecycle:* The lifecycle is the individual's journey through the criminal justice system. It begins when an individual enters the criminal justice system and ends when the individual is discharged from the criminal justice system.

When entering preliminary information in the screens that come up prior to completing an assessment, it should be noted that at the time of setting up an initial assessment within an "individual life cycle" term, the agent or county agency should choose the drop down option of "assign a new case number" and allow the software to assign the case number (the first one will be the SID# - 1). Assigning a new case number should only be done once in a continuous life cycle of an individual. Once that is completed, the user is to choose the drop

down of utilizing this existing Case number throughout that same continuous lifecycle of the individual, until all cases are terminated in the criminal justice system (examples include absolute discharge, resolution of pending charges, and completion of jail sentences.). If they return to supervision at a later time, then a new "individual lifecycle" begins, and a different Case number should be generated (the second one will then be SID# - 2). Any criminal activity that occurs within the same lifecycle, even if convicted following discharge, is still considered to be in that lifecycle. If supervision is terminated and the criminal behavior occurs following that date, the next lifecycle should be initiated if the individual comes back onto supervision.

*Completing the COMPAS Assessment:*

COMPAS is to be completed as trained; utilizing a combination of investigation and review of external information, interactive discussion/questioning with individual, and self-report. Alternative screenings can also be utilized as described below. The only section of the COMPAS assessment actually provided to the individual to fill out is the Self Report section unless an individual is identified as Limited English Proficiency (LEP), or otherwise approved by the Corrections Field Supervisor.

The agent should complete the official records section using all available file materials prior to the appointment. When the individual reports for their first appointment, rapport should be built with open ended questions, review of the Judgment of Conviction, criminal complaint, 179 and then the interview section of the Core. It is important to build rapport prior to giving the individual the self-report section. They should understand the reason for the assessment and the importance as it relates to the case plan. The agent should use judgment in regard to when it is appropriate to give the individual the self-report section. The agent should be available as a resource for questions and it should be completed in a professional setting. As a reminder, the self-report should never be sent outside of the office for any reason.

Mental health concerns and developmental disabilities are common occurrences in the general population and are part of the norming population for COMPAS. A COMPAS assessment should be completed for all cases, including those found NGI, unless the symptoms of mental illness or developmental disability are so acute that it would preclude

the individual from being able to understand or respond to the assessment questions. In most cases, if the individual can participate coherently in the interview process, COMPAS should be administered. If the individual is not capable of participating in the assessment due to a mental or physical health condition, the agent should complete the static questions that do not require individual input and staff the supervision level with the supervisor.

1. If a COMPAS assessment was completed within the last year, the agent will copy it forward to a new assessment and update. If no COMPAS has been previously completed, a COMPAS Core will be completed with the individual during intake process. The Primary Needs Assessment will not be used unless the individual will be transferring to another state via Interstate Compact.
2. If the individual is placed on community supervision after the completion of a PSI, the status in Workload Manager will be Intake After PSI, because COMPAS has already been completed.
3. The agent reviews the Probation Social Investigation DOC-179 data and uses it as a guide for COMPAS assessment completion and interactive discussion with individual.
4. The agent must use the Prior Record Listing DOC-2354 to document prior record. The agent should request a new Criminal History Record Information (Portal) each time a COMPAS assessment is completed.
5. When COMPAS prompts: CUSTODY STATUS, only use one of the following: Probation, parole, ES, NGI, 980, Interstate Compact- Probation or Parole
6. "Other" shall always be selected for LEGAL STATUS on any assessment completed post-release from prison
7. "Not Applicable" shall always be selected for Prison Admission Status
8. The agent completes any necessary Alternative Screenings. The use of any Alternative Screenings other than the URICA, TCU Criminal Thinking, Static 99R screener, or IDA should be approved by the supervisor.
9. The agent may complete a URICA on individuals that will be supervised at a higher than MIN level. The URICA will be explained to the individual, telling them that the assessment will give information about their readiness for programming. The URICA should be done for their primary program/criminogenic need. If the individual scores pre-contemplative, a referral will be done during the intake period to the Pre-Treatment Curriculum program, if available. If a Pre-Treatment Curriculum program does not

exists in the area, the results of the URICA should be shared with the primary program treatment provider to promote additional cognitive behavior, knowledge and skills practice during their primary treatment group.

10. Once COMPAS assigns a risk level, the agent will need to decide whether or not the supervision level should match the risk level. If the agent enters the Screener Recommended Supervision Level that matches the risk level, the Actual Supervision Level will auto-populate. In cases of "Medium with Override Consideration", a Screener Recommended Supervision Level of Medium will autofill an Actual Supervision level of Medium. If the agent wishes to supervise the individual at any other level they are to follow the "Overrides" section below.
11. The agent will also enter the "Start Date" and the "Next Review Date" at the bottom of the Supervision Recommendation page of the Core Recommendation page. The "Start Date" will be the date that the assessment was completed. The "Next Review Date" should be six months/one year from the date of assessment unless otherwise approved by a supervisor. The agent will add this date by entering 180 or 365 in the "Add Days" section next to the "Next Review Date". The "Add Days" tool calculates the days from the current date, not the "Start Date" entered. If entering the next review date later than the "Start Date", the agent should use the calendar tool. When reviewing the "Actual Supervision Level", supervisors must verify the "Next Review Date" entered by the agent. The agent must ensure that the correct dates are entered as these dates will set the next review date for the CSR.
12. If an override is requested, the "Supervisor Approval" screen in Workload Manager will be updated under the "Supervision Level Assignment" screen. The supervisor will then enter the "Actual" supervision level. Before entering the "Actual" supervision level, the supervisor will need to verify the "Start Date" and "Next Review Date" for accuracy.
13. The agent then initiates the [Unified Case Plan](#) and completes other required intake procedures.
14. For Interstate Compact cases that will be leaving the state prior to acceptance, the agent will complete the Primary Needs assessment only and will not enter a "Screener Recommendation", "Start Date", or "Next Review Date" in the Supervision Recommendation Screen. A Unified Case Plan will not be created.
15. A Core or Reentry cannot be completed for a 16 year old. The agent needs to complete the COMPAS Youth V2 assessment by using the tool tips and technical

assistance provided by Division of Juvenile Corrections staff located at Lincoln Hills/Copper Lake

*Alternative Screening Tools:* Alternative screening tools can be used to gather further information about an individual. Currently, the tools authorized for use are:

- University of Rhode Island Change Assessment Scale (URICA) – This assessment will provide the screener with information on the individual's "stage of change", or readiness for treatment. The URICA is a point in time assessment. An individual may move to various stages and back depending on their personal circumstances. An agent may reassess using the URICA at any time throughout the course of supervision.
- Texas Christian University Criminal Thinking Scales (TCUCTS) – The TCUCTS is designed to measure "criminal thinking" based on six scales which include entitlement, justification, personal irresponsibility, power orientation, cold heartedness, and criminal rationalization. These scales represent concepts with special significance in treatment settings for correctional populations. It was also found to be an effective measure as a pre- and post-test for cognitive behavioral treatment. It has been determined that the COMPAS Criminogenic Needs Scales provide ample information to make Cognitive Intervention Programming referrals.
- Static-99R - The Static-99R was developed as an objective actuarial tool for use in predicting sexual recidivism in adult male sex individuals. The tool has subsequently been updated to reflect the latest research, particularly related to the impact of age on risk. The tool uses commonly available information including criminal history, victim characteristics, and demographics to assist in classifying individuals into risk categories. The Static-99R tool is appropriate for adult male individuals only and can be used in cases of contact and some non-contact offenses. It is not to be used with female individuals or with individuals under the age of 18, and not all criminal sexual behavior perpetrated by adult males can be evaluated using the instrument. Rules for determining when the tool is appropriate to use are provided at official trainings. The tool should not be used by staff who have not been trained. Only staff who have completed the approved training may use the Static 99R to assist in developing supervision strategies and determining treatment needs.
- Adverse Childhood Experience (ACE) - The ACE is now available in COMPAS; however, this tool may not be utilized until there is further direction and training has occurred. The ACE Questionnaire is intended to measure adverse childhood experience, and the association between those experiences and risk behaviors in later life. Questions cover family dysfunction; physical, sexual and emotional abuse and neglect by parents or caregivers; peer violence; witnessing community violence, and exposure to collective violence. ACEs are strongly related to development and prevalence of a wide range of health problems, including substance abuse, throughout the lifespan.

- Impaired Driving Assessment (IDA)- The Impaired Driving Assessment (IDA) screening tool is an offense-specific risk assessment tool that was designed for individuals under community supervision for driving while impaired (DWI) offenses that are not prison-bound and will be sentenced to probation. The IDA will provide guidelines for DCC staff to assess the risk to reoffend, service-level needs, level of responsiveness to supervision and services, and the degree to which the DWI has jeopardized traffic and public safety among individuals arrested and convicted of DWI offenses. Staff trained on the IDA may administer the screening tool to individuals who are placed on Probation for a new operating while intoxicated (OWI) offense during the intake phase along with the COMPAS Assessment.

Other screening(s) available in [COMPAS](#) are:

- UNCOPE - The UNCOPE screening consists of six questions which provide a simple and quick means of identifying risk for abuse and dependence for alcohol and other drugs. It should be noted that the COMPAS Criminogenic Needs Scales provide ample information to identify substance abuse issues.

The individual will be supervised at manual standards based on [COMPAS](#) score risk level.

The following [COMPAS](#) supervision risk levels equate to DCC supervision levels:

COMPAS RISK LEVEL SCORE	SUPERVISION LEVEL
Low	Minimum
Medium	Medium
Medium with Override Consideration	Medium
High	Maximum

[Assessment Not Completed Due to Individual Refusal or Inability:](#)

When an individual refuses or is not capable to participate in the assessment due to a mental or physical health condition, the agent should complete the static questions that do not require individual input. The calculation will be incomplete. The agent will create an assessment note detailing why the assessment could not be completed and recommended supervision level. The agent and supervisor will staff the level of supervision recommended and the supervisor will create an assessment note approving the level of supervision. The supervisor or agent will communicate this decision to the status keeper so the assessment task can be removed. A customized case plan should be completed in [COMPAS](#). Refer to the unified case plan section for further direction. When the individual complies or is capable of

participating, the agent will complete the original assessment and amend the case plan accordingly.

Overrides:

If the agent determines that the risk and corresponding level of supervision established is inaccurate, the level can be raised or lowered by completing the override procedure described below. Any override change in risk classification must be justified in COMPAS and approved by the supervisor.

The risk classification assigned should be the lowest possible level consistent with protection of the community and treatment of the individual. Ideally, individuals should move to a progressively lower level of supervision with early discharge considered when appropriate. Overrides increasing the risk and corresponding level of supervision should not be used strictly as punishment for rules violations or as alternatives to revocation. All overrides must be periodically reviewed by the agent and supervisor to ensure the continued need for the override. The agent must justify the continuing need for any override.

Persons showing consistent accountability and positive adjustment may be staffed with the supervisor to be set at the administrative status. Administrative status can also be used for individuals in other circumstances as approved by the supervisor.

Risk levels and corresponding levels of supervision shall not be overridden solely for the collection of financial obligations in the absence of demonstrated failure to comply with the payment plan. All cases on an extension for financial reasons only shall not exceed the medium level of supervision. Risk levels and corresponding levels of supervision should not be overridden to a higher level to monitor individuals in treatment programs where agent or staff liaison to the program is available.

Individuals, other than sex individuals, serving a jail term of more than sixty days shall be set at no higher than medium status until the last thirty days of the confinement. In order to reduce a sex individual to medium who is serving jail time or in a residential



facility, a [DOC-2065 Sex Individual Reclassification Checklist](#) must be completed and a copy submitted to the status keeper.

Research validates that it is the quality of the contacts, not the quantity that brings forth behavioral change in the individual. It is important to use more intense interventions for medium to high-risk populations, allowing low risk individuals to receive minimal intervention. The [COMPAS](#) is an actuarial assessment tool, which has been validated on a national and Wisconsin norming population. This means that it predicts the general likelihood that those with a similar history of reoffending are either less likely or more likely to commit another crime generally within the two-year period following release from custody. The [COMPAS](#) assessment does not attempt to predict specifically the likelihood that an individual will commit a certain type of offense within the same two-year period. For that prediction, an alternative screening tool which is normed specifically for that individual population should be used.

Various overrides can be justified due to individual criminogenic needs or other considerations. Justification for overrides should be based not only on the presence of criminogenic need(s), but also on the additional intervention/action that will be accomplished by the agent in the case plan process in order to address the need. Simply seeing the individual on a more frequent basis without any action or nexus to the case plan is not an acceptable justification for an override to a higher supervision level.

Policy overrides will be reflected in the individual's status. A status is a pre-configured group of tasks that can be assigned to a user. Statuses may or may not have a point value assigned. The appropriate status will be communicated to the status keeper by submitting the DOC-2625 with the correct status listed. One should be careful not to override the individual's identified risk level by COMPAS for the purposes of increasing the individual's level of supervision in order to meet contact standards required by a policy.

#### Override Procedure

Once the [COMPAS](#) assessment is completed, the agent can recommend a different supervision level if it is believed the individual's risk is not accurately captured and an override is appropriate.

- An override reason shall be selected from the dropdown box in [COMPAS](#). Note: The "medium with override consideration" recommended supervision level suggests that the individual is high in either general recidivism or violent recidivism, but is low or medium on the other. Should the individual score at this level, the agent should critically assess the appropriateness of an override. If it is determined appropriate, the agent should enter a "Screener Recommendation" of medium and no override will be necessary.
- The following override reasons are available for selection:
  - Need for Increased Skill Building Exercises Tied to Top Criminogenic Need/ Identified Case Plan Goal
    - If this override reason is selected, the case plan shall specify the specific skill deficits that will be targeted and the intervention tools and resources that will be utilized
  - Stabilization Factors Need to be Addressed (Mental Health, Physical Health, Homeless, etc.)
    - If this override reason is selected, the case plan shall specify the stabilization factor/factors that will be addressed and the intervention tools and resources that will be utilized
  - Agree with Trailer Tool Recommendation-IDA
    - If this override reason is selected, a completed IDA must suggest a higher risk profile than that recommended by the COMPAS assessment.
  - Agree with Trailer Tool Recommendation-Static 99R
    - If this override reason is selected, a completed Static-99 R must suggest a higher risk profile than that recommended by the COMPAS assessment.
- \*CSR Only\*-Agree with CSR Recommendation
- \*CSR Only\*-Disagree with CSR Recommendation; Additional Intervention Is Not Required

**PLEASE NOTE THAT THESE CSR OPTIONS SHOULD  
NEVER BE SELECTED WHEN COMPLETING A  
COMPAS CORE ASSESSMENT**

- The override approval will then appear on the supervisor's approval dashboard. The supervisor will approve or deny the recommendation and inform the status keeper in order to enter the status in COMPAS. Once the agent completes the assessment, the assessment task will automatically be removed from the task due list. The DOC-2625 task will remain until the form is submitted to the status keeper via the supervisor.

Testimony Related to COMPAS - As a trained COMPAS assessor, you may be asked to testify to COMPAS related questions during various hearings, including but not limited to, Pre-Sentence Investigations, Revocation Hearings, Sentencing After Revocation Hearings, etc.

It is important to remember that, you can only testify about things you have direct knowledge about. DCC staff were trained solely as a COMPAS assessors. This training did not include question weighting and scoring calculation in terms of how a particular question will affect the overall outcome of the assessment. If you become aware that the Court would like to subpoena someone who can testify to any of the following, please consult with your supervisor:

- The weights of certain questions and how they affect the assessment;
- The validation and/or norming process used by Northpointe;
- Any information related to the science behind the assessment tool

## **SUPERVISION\DCC\SUPERVISION PROCESS\ACCESSING OFFENDER PROGRAMS AND SERVICES**

### **Community Corrections Employment Program (CCEP)**

#### **.01 GENERAL STATEMENT**

The Community Corrections Employment Program (CCEP) is a statewide program designed to assist participants in obtaining the skills necessary to obtain and maintain employment in a competitive work environment. CCEP has three main components: work experience, on-the-job training, and educational and training assistance. Participants are assessed and placed into services based on their level of skill and work readiness. CCEP also provides tax credit certification of eligible participants for employers. Bonding of participants is available via CCEP for employment purposes.

In all programs, the employer retains discretion in hiring and firing, except in cases the Division chooses to remove for non-work related problems, such as disciplinary problems or public safety. Referral of participants to CCEP is the responsibility of the agent or institution/center. Placement is the responsibility of the Employment Program Coordinator (EPC).

#### **.02 ELIGIBILITY**

Participants are found eligible for services by the EPC.

##### Eligibility Criteria

1. Priority given to Probable or Highly Probable Employment Need per COMPAS
2. On community supervision
3. Eligible as determined through DAI Reach In process.
4. Minimum of six (6) months of community supervision remaining at time of referral
5. Willing to fully participate
6. Not receiving similar services from another agency (SSI, SSDI, DVR, Workforce Investment Boards, or any community based organizations or contracted services providing employment assistance)

7. No legal or other responsivity barriers that would preclude participation in competitive full-time employment.
8. No unresolved criminogenic needs that would preclude participation in competitive full-time employment

### **.03 DCC Referral Process**

1. Agent will review eligibility criteria and will submit referrals through the DOC- 2724 to the Regional EPC.
2. Referral packets need to include the following completed forms:
  - a. DOC-2724 CCEP Referral for Services
  - b. Judgment of Conviction
  - c. Criminal Complaint
  - d. Prior Record (if requested)
3. Scan/email packet to the Regional EPC.
4. As needed, the agent will assist the EPC in establishing contact or coordinating meetings with the participants.

### **.04 Services Available**

- A. Direct Placement (DP) Services: Independent Job Search which may include one or more of the following:

1. Orientation/referral to local employment resources
2. Local labor market information
3. Assistance with resume development
4. Referrals for State ID, Driver's License assistance
5. Job search strategies

- B. Work Experience (WE) Program

The Work Experience Program is designed to provide meaningful work experience opportunities to participants with limited or no work history to prepare participants to move into permanent employment. Work sites are limited to public agencies and non-profit organizations having tax exempt status 501(c) (3).

The program offers participants an opportunity to obtain hands-on job experience, create a work history, generate positive work references, and receive an immediate, basic income. Wages are paid directly by the Department of Corrections.

C. On-the-Job Training (OJT) Program

The CCEP On-the-Job Training (OJT) Program assists eligible participants to obtain permanent employment by providing wage subsidies to employers while the participants are in training.

The OJT contract is an agreement between the employer and CCEP. The employer agrees to hire the participant in a permanent position at the prevailing wage set by the employer for the position. In exchange for this commitment, CCEP agrees to reimburse the employer for part of the costs of training.

D. Training Opportunities for Placement Program (TOPP)

TOPP provides financial vouchers for individuals enrolled in accredited post-secondary education or certified vocational training programs. Vouchers may be used for tuition, fees, books, supplies and other required material.

E. Cognitive-Behavioral Interventions for Participants Seeking Employment (CBI-EMP):

EPC will facilitate and coordinate placement in CBI-EMP based on individual needs. This intervention relies on a cognitive-behavioral approach to teach participants strategies for identifying and managing high risk situations related to obtaining and maintaining employment. Heavy emphasis is placed on skill-building activities to assist with cognitive, social, emotional, and coping skill development for the work environment.

**.05 Employment Program Coordinator Responsibilities**

1. Review DOC -2724 Referral for Services, COMPAS and other available information to determine eligibility and job readiness.
2. Schedule prospective participant for intake orientation (group or individual), within 5 business days. The Coordinator may choose to schedule individual or group orientations based on the number of referrals. Prospective participants will be contacted by telephone, appointment letter or through the DCC Agent of Record (AOR).

3. When coordinating orientation, let the agent know that participants are required to bring the following documents, if available, to the intake orientation:
  - Reentry portfolio and contents, if they have one
  - resume
  - cover letter
  - any completed applications
  - A valid I.D. card or valid Driver's License
  - Social Security card or birth certificate
4. Notify the agent by email of any participant contact and enter COMPAS note.
5. During the intake orientation, the EPC will use the CCEP Intake Checklist to:
  - Review the participant's employment goals, work history and supervision requirements
  - Assess the participant's motivation for employment and training
  - Develop plan to further enhance job readiness and program placement as appropriate
6. EPC will identify appropriate services based on the Resource-Allocation and Service-Matching Tool to fit the participant's employment goals, skills and needs.
7. Monitor participant's progress.
8. Maintain contact with employer/placement contact as needed.
9. Keep DCC agent apprised of placements, problems, or completions (by email and entering of COMPAS note).
10. EPC will enter all contacts in COMPAS notes, within 24 hours or as directed by regional supervisor. Email and phone DCC agent immediately regarding significant events (job termination, etc.).

If participant is not eligible for services based on the Resource-Allocation and Service-Matching Tool:

1. Provide the participant with local resources (job centers, etc.), refer to community based services and/or other resources (web based or other) that may assist them with employment seeking skills and training readiness; and/or
2. Assist participant in becoming job ready as workload allows by providing services under direct placement.

3. Enter note into COMPAS, within five (5) business days, and inform DCC agent of status by email.

A list of county resources can be found through the following link in mydoc [County Resource Guides](#).

#### **.06 Employability Assistance**

Depending on availability of funds, CCEP may provide support services for approved participants on a limited basis, including providing transportation services (bus passes, bus tokens, taxi rides), clothing, gas cards, tools, birth certificates and assistance with obtaining a valid driver's license or a State ID card.

Agents shall review needs for support services with their Regional EPC.

#### **.07 Closing a CCEP Case**

Cases are closed in consultation with the agent of record or when goals have been met with the participant.

EPC will attach applicable forms upon closure of the CCEP case and route packet to agent of record. Agent of record will be required to file the paperwork in the active DOC case file.

For further information please refer to the CCEP Operations Manual [Manuals](#).



## **SUPERVISION\DCC\SUPERVISION PROCESS\CASE SUPERVISION REVIEW**

### **CASE SUPERVISION REVIEW (CSR)**

#### **.01 AUTHORITY**

[Wisconsin Administrative Code DOC 328.04\(2\)](#)

#### **.02 GENERAL STATEMENT**

It is expected that during the period of supervision, an individual's level of supervision will be reduced as the goals and objectives identified in the case plan are achieved.

Supervision levels are reviewed by utilizing the COMPAS Case Supervision Review (CSR). Eligible minimum cases should be evaluated for possible early discharge or administrative supervision.

#### **.03 CASE SUPERVISION REVIEW SCHEDULE**

The agent will complete the Case Supervision Review located in the Alternative Screenings section of the [COMPAS](#) at six month intervals, twelve month intervals for MIN/ADS cases, or at significant case activity change; either positive or negative (i.e. major violations, revocation actions, completion of major UCP objective, etc.).

An agent may complete a Case Supervision Review any time prior to the scheduled reclassification. Reasons for an early reassessment could include the following:

- Receipt of new, previously unknown, information;
- Significant changes in an individual's situation; or

- Attainment of established case plan objectives.

The agent and supervisor should use their professional judgment when staffing "significant" case activity (i.e. major violations, revocation actions, completion of major UCP objective, etc.) to determine whether a CSR will be completed.

#### **.04 CASE SUPERVISION REVIEW PROCESS**

The agent will complete the CSR located in [COMPAS](#) according to the task due date set in Workload Manager.

In instances where an assessment was never fully completed due to a severe mental health issue or other disability, the agent and supervisor should discuss the case and use their professional judgment as to whether a CSR should be completed.

When completing a CSR, the agent must always include the level in the "screener" area and override reason if applicable. Once the agent enters the screener recommendation, the CSR will appear on the "Supervision Level Assignment" of the "Supervisor Approval" on the supervisor's dashboard. The supervisor must enter the "actual recommendation" to approve or disapprove the agent's recommendation. If there is a change in status, the supervisor must forward the new status assignment to the status keeper for entry. If there is no status change, no notification is necessary.

The agent must then enter the "Supervision Review Reason" as a mandatory field. "Periodic Review" must be entered for all scheduled CSRs at the six month/one year period. For any cases that were staffed with a supervisor due to a violation or negative supervision adjustment and it was determined a CSR would be completed, the agent shall enter "Negative Case Activity." For any cases that were staffed with a supervisor due to positive supervision adjustment and it was determined a CSR would be completed, the agent shall enter "Positive Case Activity."

The agent will next enter the "New Supervision Date" and the "Next Review Date" at the bottom of the Supervision Recommendation page of the CSR. The "New Supervision Date" will be the date that the Actual Supervision level will take effect. The "Next Review Date" should be six months/one year from the date of the CSR unless otherwise approved by a supervisor. The agent will add this date by entering 180 or 365 in the "Add Days" section adjacent to the "Next Review Date." This step is very important in workload manager as the agent is setting the next CSR due date.

When reviewing the "Actual Supervision Level," supervisors must verify the "Next Review Date" entered by the agent as an incorrect date will affect the next CSR due date. Supervisors should not enter the "Actual Supervision Level" until the next review date is verified.

If the agent agrees with the Supervision Recommendation and enters the corresponding Screener Supervision Level Recommendation, the Actual Supervision Level will auto-populate. When this occurs, the agent can click the "Save and Email" button to create an email in Outlook to notify the status keeper of any status changes. This option is only necessary if the change in Actual Supervision Level will result in a change in status.

The individual will be supervised per standards based on the [COMPAS](#) status assignment. The status should mirror the Actual Supervision level unless policy dictates otherwise.

For Enhanced status cases, a staffing between the agent and supervisor should occur after ninety days to determine the level of supervision. This staffing shall be documented in the General Note, with sub type "DCC Staffing," and should include the level of

supervision. A Case Supervision Review should not be completed for this ninety-day staffing period unless there is significant case activity.

Sex individual level of supervision must be reviewed and, if deemed appropriate, can be reclassified by the agent submitting a Sex Offender Reclassification Checklist ([DOC-2065](#)) to the supervisor. Agents will note, "DOC-2065 completed" in the comments section of the Supervision Review screen. This will notify the supervisor that the DOC-2065 has been completed and is waiting for supervisory review and approval prior to entering the "Actual Level of Supervision." The DOC-2065 will only need to be submitted to the status keeper if the agent and supervisor staff to set the individual at the "Intensive Sex Individual" status.

If an individual has been incarcerated during the reporting period and dynamic factors related to adjustment to supervision have not changed, the agent can staff the CSR with the supervisor and enter a staffing note. The supervisor can then direct the status keeper to set the CSR work due date out another six months.

For specialty court cases, a staffing between the agent and supervisor should occur for phase changes unless the phase change was a result of a significant case activity change. This staffing is to determine the level of supervision and shall be documented in the General Notes, with a sub type "DCC Staffing," and include the level of supervision. The status keeper will then be notified if the status changes.

Failure to complete COMPAS Case Supervision Review (CSR) every six months will result in the case remaining at the current classification until completed. Overdue work will continue to be reflected in the task list. The supervisor will review this list regularly and address any overdue work with the agent, including ensuring the CSR is completed.

The following options are available for the agent to choose in the "Override Reason" field:

- Need for Increased Skill Building Exercises Tied to Top Criminogenic Need/ Identified Case Plan Goal
  - If this override reason is selected, the case plan shall specify the specific skill deficits that will be targeted and the intervention tools and resources that will be utilized
- Stabilization Factors Need to be Addressed (Mental Health, Physical Health, Homeless, etc.)
  - If this override reason is selected, the case plan shall specify the stabilization factor/factors that will be addressed and the intervention tools and resources that will be utilized
- Agree with Trailer Tool Recommendation-IDA
  - If this override reason is selected, a completed IDA must suggest a higher risk profile than that recommended by the COMPAS assessment.
- Agree with Trailer Tool Recommendation-Static 99R
  - If this override reason is selected, a completed Static-99 R must suggest a higher risk profile than that recommended by the COMPAS assessment.
- \*CSR Only\*-Agree with CSR Recommendation
- \*CSR Only\*-Disagree with CSR Recommendation; Additional Intervention Is Not Required

COMPAS Core does not need to be re-done if the individual remains in the same life cycle and there are no changes, which would significantly impact the overall assessment. In the event of a new arrest and/or criminal conviction, an updated COMPAS Core may be completed by copying forward the previous assessment and updating data as needed. The determination of whether or not to complete an updated assessment should be made using professional judgment after staffing with the agent and supervisor.

If the agent, in consultation with the supervisor, decides that a significant technical violation without a new arrest warrants the completion of a new [COMPAS](#), under the "Current

Charges" section of the COMPAS, the agent should check the "other" box only. At this time, the charges from the current case they are on supervision for are then considered in the "Prior Record" questions of the assessment.

## **Interstate Compact**

### **Definitions**

#### **ICAOS Standards and Rules**

#### **Wisconsin Cases Transferring to Another State**

#### **Wisconsin Cases Under Supervision in Another State**

#### **Supervision of Cases From Other States**

#### **Interstate Compact Application Fee**

### **.01 AUTHORITY**

#### **Wisconsin Statute 304.16**

#### **Wisconsin Administrative Code DOC 328.14**

#### **Rules of the Interstate Commission for Adult Offender Supervision**

### **.02 ADMINISTRATIVE STRUCTURE**

#### **DCC CENTRAL OFFICE, MADISON**

Compact Administrator, Deputy Compact Administrator, Operations Program Associate, Office  
Operations Assistant

#### **DCC REGIONAL STRUCTURE**

Community Corrections Supervisors and Agents from each region are designated Compact Specialists by the Regional Chief. Compact Specialists act on behalf of the Compact Administrator in all decisions to accept, reject, or terminate supervision under the Compact. Compact Specialists shall be trained by the Central Office Compact Staff prior to processing Interstate Compact matters.

### **.03 INTERSTATE COMPACTS**

#### **INTERSTATE COMPACT FOR SUPERVISION OF PAROLEES AND PROBATIONERS**

Enacted in 1937, this Compact regulating interstate transfers of offenders was adopted by all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. This Compact has been replaced in every jurisdiction by the Interstate Compact for Adult Offender Supervision.

#### INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION (ICAOS)

The ICAOS will guide the transfer of offenders in a manner that promotes effective supervision strategies consistent with public safety, offender accountability and victims' rights.

The Compact requires each member state to create a state board providing oversight and advocacy of operations under the Compact.

Additional information, including ICAOS Rules, directory of states' compact offices, and training resources are available at the ICAOS website: [www.interstatecompact.org](http://www.interstatecompact.org) and **Compact Online Reference Encyclopedia (CORE, an online encyclopedia)**.

#### **.04 ICOTS USER ACCOUNTS**

All Agents and Corrections Field Supervisors who are involved in the compact process should have an ICOTS User Account and agree to comply with the [ICOTS Privacy Policy v3](#). Other staff may set up an ICOTS user account with the permission from their supervisor. ICOTS users are required to complete trainings identified by the Compact Office prior to obtaining an account in ICOTS. Staff can refer to the following link to [ICOTS Region Staff User Account Setup](#) for instructions on completing the required trainings.

ICOTS Users will receive email notifications when they have not logged into their account for 3, 6 or 9 months. To retain an active user account, the staff person must log in and complete an action (e.g., search an offender record). If the account has not been logged into and an action completed for 273 days, the account will be de-activated and the user is required to complete the ICOTS trainings again to reactivate their account.

Staff with an ICOTS account or their supervisor will notify the Interstate Compact office if they are leaving state service, have change their legal name, or are no longer working for the Department of Corrections.

#### **.05 DEFINITIONS IN ACCORDANCE WITH ICAOS**

ABSCOND –Means to be absent from the offender's approved place of residence and employment; and failing to comply with reporting requirements avoiding supervision.



BEHAVIOR REQUIRING RETAKING – An act or pattern of non-compliance with conditions of supervision that could not be successfully addressed through the use of documented corrective action or graduated responses and would result in a request for revocation of supervision in the receiving state.

INTERSTATE COMPACT APPLICATION FEE - Fee charged to an offender for each application that is made by an offender to transfer from Wisconsin (WI) to a receiving state through the Interstate Compact.

INTERSTATE COMPACT OFFENDER TRACKING SYSTEM (ICOTS) - The internet-based application for all interstate compact business processes.

RECEIVING STATE - The state which is requested to assume supervision of an offender.

RELOCATE - To remain in another state for more than 45 consecutive days.

RESIDENT - For the purpose of transfer of supervision under the terms of the Compact, an offender may be considered a resident of a state if the offender has continuously inhabited a state for more than one year prior to the commission of the offense for which the person is under supervision, and who has not, unless incarcerated, relocated to another state or states for a continuous period of six months or more with the intent to establish a new principal place of residence.

RESIDENT FAMILY - A parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or step-parent who has resided in the receiving state for 180 days or longer. The family must indicate a willingness and ability to assist the offender as specified in the plan of supervision.

RETAKE – means the act of a sending state in physically removing an offender, or causing to have an offender removed, from a receiving state.

SENDING STATE - The state requesting transfer of supervision.

SEX OFFENDER - Means an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is registered or required to register as a sex offender in the sending state or is under sex offender terms and conditions in the

sending state and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

SUBSTANTIAL COMPLIANCE - An offender is in “substantial compliance” if there is no revocation action pending or in progress in the sending state.

SUPERVISION- The oversight exercised by authorities of a sending or receiving state over an offender for a period of time determined by a court or releasing authority, during which time the offender is required to report to or be monitored by supervising authorities, and to comply with regulations and conditions, other than monetary conditions, imposed on the offender at the time of the offender’s release to the community or during the period of supervision in the community.

VIOLENT CRIME - Any crime involving the unlawful exertion of physical force with the intent to cause injury or physical harm to a person; or an offense in which a person has incurred direct or threatened physical or psychological harm as defined by the criminal code of the state in which the crime occurred; or the use of a deadly weapon in the commission of a crime; or any sex offense requiring registration.

#### **.06 ICAOS STANDARDS AND RULES**

ICAOS Rules are binding on the compacting states and are enforceable in federal court. The courts and executive agencies of a state are legally bound to enforce the compact and to take all actions necessary to achieve the compact’s purposes and intent.

CORRESPONDENCE BETWEEN STATES. All interstate compact business processes must be completed in ICOTS. All other formal interstate correspondence between states must go through the Compact Specialist or the DCC Interstate Compact Central Office.

ELIGIBILITY FOR SUPERVISION. Eligibility to transfer supervision under the ICAOS is subject to the following criteria:

1. Offender is an adult, or a juvenile treated as an adult by the court, and is
2. Subject to supervision, that is required to report or be monitored by supervising authorities, as the result of the commission of a criminal act, and who
3. Has been sentenced or received a deferred sentence for
  1. A felony offense, or
  2. A misdemeanor which meets ALL the following criteria:

- Offender has been placed on supervision for one year or more; and
- Offense involves:
  - Direct or threatened physical or psychological harm to a victim, or
  - A second or subsequent OWI, or
  - Use or possession of a firearm, or
  - A sexual offense requiring registration as a sex offender in the sending state; and
- 4. Is in substantial compliance with the terms of supervision in the sending state
- 5. Has at least three months of supervision remaining; and
- 6. Has a valid plan of supervision in the receiving state.

A sending state may request transfer of a case which does not meet the criteria for eligibility if the sending state believes supervision in the receiving state is necessary. The receiving state, for good cause, may consent to the transfer of supervision of an offender who does not otherwise qualify for transfer of supervision.

A receiving state SHALL accept transfer of supervision of an eligible offender who is in substantial compliance with the terms of supervision and the offender is either:

- A “resident” of the receiving state; OR
- Has “resident family” in the receiving state who indicate willingness and ability to provide assistance as specified in the supervision plan, and the offender can obtain employment or has a means of support in the receiving state.

ELIGIBILITY – SPECIAL CIRCUMSTANCES. Offenders who are in substantial compliance with the terms of supervision are not required to meet the “resident” or “resident family” requirement in any of the following circumstances:

- Offender is a member of the military and is under orders in another state;
- Offender resides with a family member is under orders in another state, provided the offender will reside with the military member in the receiving state; or
- Offender resides with a family member who is transferred to another state at the direction of the employer and as a condition of maintaining full-time employment, provided that the offender will reside with the family member, unless the receiving state can show good cause for rejecting the transfer; or

- Offender is transferred to another state by their full-time employer, at the direction of the employer and as a condition of maintaining employment shall be eligible for reporting instructions and transfer of supervision.
- *Transfers of veterans for medical or mental health services provided the offender* is a veteran of the United States military services who is eligible to receive health care through the United States Department of Veterans Affairs, Veterans Health Administration and is referred for medical and/or mental health services by the Veterans Health Administration to a regional Veterans Health Administration facility in the receiving state.

CONDITIONS. If a condition is placed on an offender by the sending state and will not, or cannot, be enforced, the receiving state must notify the sending state at the time of acceptance in the ICOTS Reply to Transfer. A receiving state which places a condition upon an offender shall notify the sending state at the time of acceptance in the ICOTS Reply to Transfer, and notify both the offender and sending state of amended conditions/rules in subsequent Progress Report actions.

OPPORTUNITY TO INVESTIGATE. The receiving state shall be given the opportunity to investigate the prospective plan of the individual prior to movement to the receiving state. Receiving states have up to 45 days to investigate the transfer plan.

TRAVEL DURING INVESTIGATION. Offenders are normally not allowed to travel to a receiving state, without reporting instructions, while a transfer is pending. The only exception(s) are when travel is necessary during the transfer investigation for the purposes of pre-existing employment, treatment or medical appointments. In these cases, the agent must include in the Transfer Request justification the offender will be allowed to proceed to the receiving state and must return to the sending state each day upon completion of the employment shift or appointment.

ACCEPTANCE TIME LIMIT. An acceptance by a receiving state shall be valid for 120 days. If the sending state has not sent an ICAOS Notice of Departure in that timeframe, the receiving state may withdraw its acceptance and close interest in the case.

ROLE OF THE COMPACT ADMINISTRATOR OFFICE. Acceptance, rejection, or termination of interest in a Compact case shall not occur except through the office of the Compact Administrator or designee.

TRANSFER TO A THIRD-PARTY STATE. Transfer of the supervision to a third-party state is the responsibility of the original sending state. The state supervising the offender shall notify the sending state prior to any transfer to a third-party state. The state supervising the offender shall not close

interest prior to acceptance of the transfer by the third-party state. The sending state shall notify the supervising state of acceptance of transfer by the third-party state.

RETURN OF SUPERVISION TO THE SENDING STATE. Upon an offender's request to return to the sending state, the receiving state shall request reporting instructions from the sending state. The sending state shall provide reporting instructions within two business days. The offender shall remain in the receiving state until receipt of reporting instructions. The receiving state submits departure and case closure notice actions. The sending state submits returning notice of arrival and case closure notice response actions.

OBLIGATION TO PROVIDE FOR RETURN OR RETAKE. A sending state shall issue a warrant to retake or order the return of an offender from the receiving state or a subsequent receiving state within 15 business days of the receipt of the violation report.

RECIPROCAL DUTIES BETWEEN STATES. Supervision of Interstate Compact offenders will be governed by the same standards which prevail within the state for its own offenders.

INTENSITY AND DURATION OF SUPERVISION. The duration of the period of supervision shall be determined by the sending state. The level (degree of supervision) shall be determined by the receiving state.

DEPARTURE AND ARRIVAL REPORTING. Departure and Arrival reports shall be sent immediately to the receiving or sending state. The date of departure/arrival, offender's address, and offender's telephone number must be noted.

PROGRESS REPORTS. Progress reports shall be provided for reporting imposed incentives/sanctions, provide documentation on compliant and non-compliant behavior that does not require retaking, ability to add new conditions imposed, to report new arrests, and to be clear in recommendations. Progress Reports are required within 30 days upon request by the sending state. Compact rules allow for discretionary retake by the sending state.

COLLECTION OF SUPERVISION FEES. No sending state shall impose supervision fees on an offender being supervised by another state under the Compact. Wisconsin offenders shall continue to pay supervision fees until arrival and acceptance by the receiving state. Upon notification of acceptance and arrival in another state, the Wisconsin agent will submit a Supervision Fee Action Report ([DOC-1682](#)) to the Supervision Fee Designee to stop the Supervision Fee charges. Interstate Compact transfer-in offenders

are subject to Wisconsin supervision fees based on the date of the offender's arrival and acceptance in Wisconsin.

COLLECTION OF MONEY BY THE SENDING STATE. Collection of financial obligations remains the responsibility of the sending state. The receiving state may encourage the offender to pay the obligations but is not directly involved in the collection. The sending state may communicate directly with the offender regarding matters of financial obligations. If the sending state notifies the receiving state that an offender is not complying with financial conditions, the receiving state shall notify the offender that the offender is in violation of the conditions of supervision and must comply.

TRAVEL PERMITS (TO A RECEIVING STATE).

*Temporary.* An offender who is not a "sex offender" under the compact, and who is living in the receiving state at the time he or she is placed on probation, may be given a temporary travel permit for up to seven days to allow time for the receiving state to issue reporting instructions.

*Provisional.* Provisional travel permits may be issued by a sending state to allow an offender to proceed to a receiving state prior to completion of an investigation and formal acceptance of the case in emergency situations. NO PROVISIONAL TRAVEL PERMIT MAY BE ISSUED WITHOUT REPORTING INSTRUCTIONS FROM THE RECEIVING STATE.

*Blanket.* Blanket or temporary travel permits are required by the receiving state when the compact offender will be traveling back to the sending state for recurring activity. The purpose of travel and activities must be specified.

CLOSING INTEREST IN COMPACT CASES. Interest in a Compact case shall be closed under any of the following conditions:

- Upon the date of discharge, unless the sending state has informed the receiving state in writing of an earlier or later date to close interest;
- Upon notification of absconder status. In the event of an offender absconding from supervision, the receiving state will alert the sending state via a violation report and close interest;
- In the event an out-of-state offender is incarcerated for 180 days or longer;
- Notification of the death of an offender; or
- The offender has returned to the sending state.

BEHAVIOR REQUIRING RETAKING. Offenders transferred under the Compact have waived their rights to extradition proceedings. Upon request from a receiving state, a sending state shall retake an offender if:

- The offender has been convicted of a new felony or violent misdemeanor offense,
- The offender is an absconder, apprehended in the receiving state

A sending state shall either retake or order an offender to return if:

- The receiving state has reported violation of conditions as a single act/behavior, continued behavior or a combination of behaviors where all evidence-based response to violations have been exhausted and the behavior would rise to the level of revocation.

VICTIM NOTIFICATION. According to the laws of the sending state, if an offender's case is designated victim sensitive, a receiving state will notify the sending state with a minimum of 20 business days advanced notice when the offender:

- Changes address;
- Returns to the sending state where the victim resides;
- Departs the receiving state under an approved plan of supervision in a third state; or
- Is issued a travel permit.

#### **.07 INTERSTATE COMPACT APPLICATION FEE**

Policy Statement: The DOC will charge a fee for each application that is made by an offender to transfer from Wisconsin to a receiving state through the Interstate Commission on Adult Offender Supervision agreement. This procedure is applicable to staff who are supervising adult persons on community supervision or those staff who are assisting in reentry from a DAI facility to community supervision.

#### **Procedure for collection of Interstate Compact Application Fee**

An offender that requests a transfer to another state will pay an Interstate Compact application fee of \$150.00 prior to submission of a Transfer Request. A separate application fee will be collected for each proposed residence. An offender may not complete community service hours in lieu of this fee.

This application fee is not subject to refund and the application fee does not guarantee acceptance by the receiving state.

There are two instances in which this application fee is exempt, if applicable:

1. If the offender is incarcerated in the receiving state and released to community supervision in the receiving state.
2. If the offender has a consecutive/subsequent case, when the offender is already in the receiving state under the interstate compact and has paid the application fee.

If the instances described above occur, the staff will send an email to the DOC DCC Interstate Compact mailbox. The WI Compact Administrator or Deputy Compact Administrator will determine if the offender qualifies for an exemption of paying the application fee on a case-by-case basis. The staff person will enter a note in COMPAS indicating that exemption for IC Application fee was requested and approved. The Wisconsin IC staff will enter exemption approval in the offender ICOTS record.

A subsequent application fee is not required if a supervision plan is denied due to technical reasons and the application is resubmitted to the same residence.

When the offender requests to relocate to another state, the agent will review the eligibility criteria and qualifying offense with the offender. The agent will advise the offender of the application fee. If the proposed plan is feasible, the agent will contact family member or host (landlord if applicable) to verify residence plan, means of support, transportation plan and explain the application fee process. The agent will also verify the residence address is recognized by the United States Postal Service (usps.com). If applicable, the agent will verify with the receiving state sex offender registry whether offender will be required to register and if yes, inform offender prior to further action. If the proposed plan is appropriate and consistent with the eligibility criteria, the agent will create a financial obligation account in WICS. ([See Interstate Application Fee Guide](#))

After creating the Interstate Compact Notification of Payment Due Letter (DOC-2756), the agent will provide the letter to the offender to submit payment for the application fee. The offender shall be provided with an envelope by the agent to seal the payment and the Interstate Compact Notification of Payment Due Letter. The agent will mail the envelope addressed to the Milwaukee address listed on the letter per normal office mailing procedures.

If the offender is living in the receiving state at time of sentencing and is eligible for reporting instructions under [ICAOS 3.103](#), the agent shall ask the offender to pay the application fee during the intake process. If the offender is new to supervision, an emergency DOC number shall be requested to complete the paperwork for processing. The agent will complete the steps indicated above to initiate the financial obligation in WICS. The agent shall verify that the application fee has been paid in the WICS Offender/Payee Accounts screen prior to the Transfer Request being submitted in ICOTS.

If the offender is a resident of the receiving state prior to supervision and is not able to pay the application fee during the intake process they may proceed to their state of residence with agent approval. The offender will have up to 10 business days to mail the application fee payment in full. The agent will provide the Interstate Compact Notification of Payment Due (DOC-2756) to the offender to mail with the application fee payment. If the fee is not paid in full within 10 business days, the agent will



staff the case with their supervisor for appropriate action(e.g., determine a plan with a date when the full \$150 payment is required or WI will order offender to return, or issue a warrant.

Per Wisconsin [2015 Act 355](#), if an offender has unpaid restitution on an open case, the balance will be required to be paid before the Interstate Compact Application Fee. Therefore, payments made toward the Interstate Compact Application fee will be diverted to outstanding restitution balance on an open case. In these cases, the agent should complete the transfer application process.

## **WISCONSIN CASES TRANSFERRING TO OTHER STATES**

### **.01 POLICY**

The purpose of the Interstate Compact for Adult Offender Supervision is to control the interstate movement of offenders. No offender under supervision in Wisconsin who is subject to the ICAOS rules will be allowed to reside in another state except as provided by those rules. No offender may be given a series of temporary travel permits for the purpose of avoiding the compact requirements.

Permitting offenders to proceed to a receiving state without formal acceptance should not be allowed except in limited situations, and then only with the permission of, and reporting instructions from, the receiving state.

If an offender is required to provide a DNA specimen, the agent shall verify that the DNA has been obtained before allowing the offender to leave Wisconsin under the compact.

All financial obligations should be paid or a payment plan established before the offender leaves the State of Wisconsin. The state accepting supervision will not be responsible for the collection of financial obligations. Refusal by the offender to comply with the established payment plan is considered a violation of supervision and an appropriate response should be implemented using an evidence-based response to violation.

Extension orders which are due to unmet conditions, other than monetary conditions, must be sent to the receiving state prior to discharge or that state will close its interest and cease supervision upon the scheduled discharge date.

## **.02 TRANSFER REQUEST REQUIREMENTS**

The interstate compact application fee must be paid in full before an agent or a social worker can initiate the transfer process. The agent or social worker shall inform the offender there is no guarantee of acceptance and there is no refund of the application fee. If the fee cannot be paid within 10 days of sentencing or other reason, the agent will staff the case with their supervisor for appropriate action (e.g., determine a payment plan with a pay-by date for the full \$150 fee payment). The agent will set up the WICS financial obligation, and also email the Region Compact Specialist and WI Compact Office staff of the payment plan when submitting the Transfer Request.

### **REQUIRED ICAOS FORMS:**

Offender's Application for Interstate Compact Transfer

NOTE: The offender's completed, signed, and witnessed application is the only ICAOS form required to be attached to a transfer request in ICOTS. All other forms are completely auto-populated within ICOTS, from information entered by the responsible ICOTS User. Completed forms may be downloaded from ICOTS if a copy is needed for a case file.

### **REQUIRED DOC FORMS:**

- Rules of Community Supervision
- [CR-208A/DOC-101](#) Extension Order for probation cases that have been extended by court.

### **ADDITIONAL TRANSFER REQUEST REQUIREMENTS:**

- Judgment of Conviction
- Criminal Complaint, police report or other official version of offense details
- Transfer Summary (if community supervision is greater than 30 days)
- Summary of offender's criminal history
- Gang affiliation
- Photograph, a front-facing color head shot, sharp image with no dots or pixels, background does not detract from offender face
- Information about court obligations, including address where payments are to be sent
- Pre-Sentence Investigation (if applicable) or COMPAS Bar Chart and Narrative
- Active military orders/documentation (if applicable)

- Relevant medical or psychological information (if available)
- For transfer of supervision of a registered sex offender in Wisconsin (or an offender who is under sex offender terms, conditions and rules) (see 05. DEFINITIONS) the sending state shall provide the following information, if available: Assessment information including specific sex offender assessments, social history, information relevant to the sex offender's criminal sexual behavior, law enforcement report with specific details of sex offense, victim information (name or initials, age, sex, relationship) and statement of victim or victim's representative, the sending state's current or recommended supervision and treatment plan.
- If the offender has been released from prison within the last two years, a Mental Health Summary for Interstate Compact ([DOC-3711](#)) and a summarizing statement of institution discipline and whether it will affect community supervision is required. The procedure for obtaining the [DOC-3711](#) is as follows:
  - If the offender has been treated or evaluated by a DCC psychologist since release, the agent will request the psychologist complete the [DOC- 3711](#).
  - If the offender has not been evaluated or treated by a DCC psychologist, contact the appropriate email address below and request that the Psychological Services Unit (PSU) record is retrieved and provided to the DCI or TCI Psychology Supervisor.
    - DOC DAI DCI Central Medical Records - Males
    - DOC WWCS TCI Inactive Women's Medical Records - Females
  - The PSU record will be provided to the DCI or TCI Psychology Supervisor who will designate a PSU staff member to complete the [DOC-3711](#). The completed [DOC-3711](#) will then be sent to the requesting agent via email.
- The agent shall have the offender sign the ICAOS version the Authorization for Use and Disclosure of Protected Health Information ([DOC-1163A](#)) prior to forwarding the [DOC-3711](#) to the receiving state Compact Parole Office.

### **.03 PROCEDURE FOR REQUESTING TRANSFER TO ANOTHER STATE**

An offender on supervision may request transfer to another state. The agent should assess the offender's request, evaluating whether or not the proposed plan in the other state meets the criteria of the Compact. If the agent agrees that transfer to another state is appropriate, the residence address and supervision plan must be verified by contacting the host family member, landlord, employer, or sex offender registry as appropriate. The agent will then submit a complete transfer request, with all required documents, in ICOTS. If the offender is an inmate requesting transfer to another state upon release, social workers should verify the proposed transfer plan and discuss with the assigned agent. If the agent and social worker agree the plan is appropriate and consistent with the criteria for transfer under the Compact, the social worker will submit the transfer request in ICOTS.

- Cases immediately going to another state require only a COMPAS Primary Needs be completed and the resulting Narrative Summary will be attached in ICOTS. The agent will not enter a "Screener Recommendation", "Start Date", or "Next Review Date" in the Supervision Recommendation screen. A Unified Case Plan will not be created. Cases that will not be transferring for thirty or more days from reception on supervision require standard intake requirements be completed.
- The status keeper will add the intake status (Intake, Intake/Sex Offender, or Intake OWI 2/3), assign the case manager, and mark the intake status as "Primary". Supervision will follow the guidelines set for assigned status until the transfer request has been accepted.

"Sex offenders" as defined in the Compact rules are subject to additional restrictions and information requirements. In order to identify offenders subject to these requirements, the agent must determine if an offender is supervised as a sex offender in Wisconsin. In some states, offenders may be required to register for sexual offenses which do not require registration in Wisconsin. The agent should contact the receiving state's registration authority to determine the offender's status in that state if:

- The offender is on supervision for a misdemeanor sexual offense;
- The offender has previously been convicted of a misdemeanor sexual offense in Wisconsin; or
- The offender has been convicted of any sexual offense in any other state; and
- The offender denies being registered as a sex offender in the receiving state.

The Compact Specialist will review the transfer request and, if approved, forward the transfer request to the Compact Office. The Compact Office will review the transfer request and, if approved, forward transfer request to the receiving state for investigation.

If the receiving state does not reply within 45 calendar days, the agent may submit a Compact Action Request in ICOTS. If a reply is not received, the Compact Specialist may make inquiry to the Compact Administrator's Office of the receiving state via e-mail, with a copy to the Wisconsin Deputy Compact Administrator. If necessary, this inquiry process should be repeated every 30 calendar days until the case is accepted or rejected.

Issues of policy, compliance with Interstate Compact rules, or problem resolution are to be referred to the Compact Specialist. If the Compact Specialist is unable to resolve an issue, the Compact Specialist will forward the matter to the Wisconsin Compact Administrator for resolution.

ACCEPTANCE: Once notification of formal acceptance by the receiving state is received, the offender may be allowed to proceed to the receiving state. The offender is issued a Travel Permit ([DOC-50](#)).

Reporting instructions in the receiving state should be included on the [DOC-50](#). The agent will submit the Notice of Departure in ICOTS.

For an inmate proceeding directly to the receiving state at release, the agent will send the Offender Release Authorization ([DOC-15](#)), the Travel Permit ([DOC-50](#)), and Rules of Community Supervision, including any special rules, to the institution social worker. The social worker will review the rules and reporting instructions with the inmate and obtain the inmate's signature where required. The social worker will submit a Notice of Departure in ICOTS and forward a signed copy of the Rules of Community Supervision and [DOC-50](#) to the assigned agent.

**REJECTION:** If the receiving state rejects supervision, the agent must develop a supervision plan in Wisconsin.

**TRAVEL PRIOR TO FORMAL ACCEPTANCE:** Travel prior to acceptance is only allowed when:

The offender is currently employed in the receiving state, has a medical appointment or is receiving treatment. The offender may travel to the receiving state for above purposes, but must return to Wisconsin, daily, during non-working hours or when the medical appointment or treatment is concluded. In these cases, the transfer request must indicate that the offender will be commuting to and from employment, or will be traveling to the receiving state for medical reasons.

The offender (other than a "sex offender" under the compact) is living in the receiving state at the time of being placed on probation. An eligible offender who has been incarcerated for 6 months or less as a condition of probation may be allowed to travel under this exception. Requests for reporting instructions under this exception must be made within seven business days of sentencing or release from incarceration to probation supervision. Upon verification of the offender's residence, the agent may issue a temporary travel permit for up to seven days.

The agent must immediately submit a Request for Reporting Instructions in ICOTS. The receiving state must issue reporting instructions within two business days of a request. The agent must maintain communication with the offender to assure that reporting instructions are promptly relayed to the offender. A Notice of Departure is submitted in ICOTS upon receipt of reporting instructions. A complete transfer packet must be submitted to the receiving state within 15 calendar days following issuance of reporting instructions.

If the probationer residing in the receiving state at the time of sentencing is a "sex offender" under the compact, the sex offender must remain in Wisconsin until reporting instructions are issued. The receiving state may take up to five business days to reply. The receiving state may deny the reporting

instructions if it determines that the residence is not acceptable due to law or policy. In that case, the sex offender must remain in Wisconsin.

If the agent submits a Request for Reporting Instructions in the ICOTS due to other mandatory reasons such as offender or family military transfer, offender or family employer-directed full time employment transfer, or veterans medical or mental health services, the sending state shall provide documentation with the request.

The receiving state has issued expedited reporting instructions. When there are compelling circumstances which require the offender's immediate presence in the receiving state, the agent may submit a Request for Reporting Instructions and Transfer Request together. The receiving state must reply to the Request for Reporting Instructions within two business days. If the receiving state grants the expedited reporting instructions, the agent may issue the Travel Permit and submit the Notice of Departure. No travel permit may be issued prior to receiving reporting instructions.

If the offender has been given permission to proceed to the receiving state prior to acceptance, the offender's status will match the contact standards met by the agent. Upon acceptance, the ledger classification shall be changed to Out of State.

If the offender is required by [s.301.48, WI Stats.](#), to be monitored by a GPS tracking device, the tracking device may be removed when the offender leaves Wisconsin. Should the offender return to Wisconsin, the GPS tracking must be reinstated.

If the offender is required to submit a DNA specimen to the State of Wisconsin Crime Lab, the DNA must be collected before the offender is allowed to relocate.

Upon notification that the receiving state has rejected the transfer request, and unless the receiving state will allow for resubmittal without requiring the offender's return, the receiving state shall request returning reporting instructions and explain why the offender is returning, upon WI Compact approval within 2 business days, submit a returning Notice of Departure and Case Closure Notice. If the offender reports as instructed, the agent submits a Notice of Arrival and validates the Case Closure Notice Response. If the offender does not report as instructed, the agent must issue an Apprehension Request ([DOC-58](#)) within 15 business days of failing to report as instructed. The agent shall check "Extradite" and include "Interstate Compact case; Have signed waiver; Will retake" in the "Comments" section. The Apprehension Request must be enforceable nation-wide.

#### **WISCONSIN CASES UNDER SUPERVISION IN ANOTHER STATE**

## **.01 FINANCIAL OBLIGATIONS**

**SUPERVISION FEES.** The offender is responsible for paying supervision fees in Wisconsin until the offender has been formally accepted, departed and arrived in the receiving state on compact supervision.

**COURT OBLIGATIONS.** Whenever feasible, all court obligations should be paid in full, prior to transfer. If obligations are not paid in full, the offender shall not be allowed to transfer out of state unless a realistic payment plan is established between the Wisconsin agent and the offender. The agent should include on the Rules of Community Supervision any payment plan and the address to which payments are to be sent. The Wisconsin agent is responsible for monitoring compliance with the payment plan and taking action, including ordering the offender to return in the event the offender fails to make a good faith effort.

If the offender is being supervised out of state and financial obligations have not been paid 90 days prior to discharge, the Wisconsin agent is responsible for requesting the Court extension or to request the Court enter a Civil Judgment. The agent will attach the Petition and Stipulation to Waive Appearance and Hearing (CR-207/[CR-208A](#)) to a Compact Action Request and submit, via ICOTS, to the supervising agent in the receiving state, requesting assistance to obtain and witness the offender's signature. The request should indicate the date by which the witnessed documents must be returned.

If the court extends the probation case(s), the receiving state must be notified, prior to the original discharge date. The agent shall enter the new discharge date into ICOTS and submit a Compact Action Request with the signed ([CR-208A](#)) to the receiving state. If the court extends the probation but the only remaining condition is monetary obligations, the offender no longer meets the compact definition of 'supervision.' WI may ask the receiving state to continue compact supervision, but that state is not obligated.

## **.02 COMPAS RESPONSIBILITIES**

The Case Supervision Review will not be used for cases being supervised out of state. Likewise, the case plan does not need to be maintained at a set interval. However, if there was a case plan started prior to the offender's departure, updates can be made as informed by the receiving state via a Progress Report, Compact Action Request, etc.

## **.03 VOLUNTARY RETURN TO WISCONSIN**

A receiving state may not permit a Wisconsin offender who is being supervised in the receiving state to return to Wisconsin, with the intent to remain in Wisconsin, without first obtaining returning reporting

instructions. The Compact Office will direct the offender to report to the agent of record and will send notice to the agent and Compact Specialist.

The receiving state will submit an ICOTS Notice of Departure and Case Closure Notice when the offender departs. The Wisconsin agent must answer with an ICOTS Notice of Arrival and Case Closure Notice Response, accepting the closure, in order to remove the case from the agent's active ICOTS caseload.

The Wisconsin agent shall resume supervision upon the offender's return. The agent will notify their status keeper so that the offender's status can be updated. A Case Supervision Review (CSR) and case plan update should be completed.

**.04 DISCRETIONARY OR MANDATORY RETAKE FROM ANOTHER STATE** The Wisconsin agent, for cause, may at any time order an offender to return to this state. The agent shall issue the order in a Compact Action Request or a Response to Violation Report. The agent must specify the date by which the offender must report to the agent.

If the offender fails to return by the specified date, the agent will issue an Apprehension Request ([DOC-58](#)). In all cases, the agent shall check "Extradite" and include the following Comment: "Interstate Compact case; Have signed waiver; Will retake". The Apprehension Request must be enforceable nationwide.

**RECEIVING STATE BEHAVIOR REQUIRING RETAKE REPORT:** After a receiving state submits a violation report requiring mandatory retake due to any of the following circumstances, the offender must be retaken:

- The offender has been convicted of a new felony or violent misdemeanor crime;
- The offender absconded while being supervised in the receiving state and has subsequently been apprehended in the receiving state.
- The receiving state has reported violation of conditions as a single act/behavior, continued behavior or a combination of behaviors where all evidence-based response to violations have been exhausted and the behavior would rise to the level of revocation.

Upon a receiving state's request to retake an offender, Wisconsin must request probable cause, issue a warrant and retake or order the offender to return to the sending state.

#### **.05 VIOLATION AND REVOCATION**



An offender under supervision in another state remains subject to revocation in Wisconsin if the offender has violated the rules of supervision of either state. The receiving state must notify Wisconsin within 30 days of discovery of any behavior requiring retaking as defined by ICOTS. The Wisconsin agent must staff the case with the supervisor. Within ten days of receiving the Violation Report, the agent must submit a Response to Violation Report in ICOTS.

If revocation is a possible outcome, the offender is entitled to an on-site Probable Cause Hearing. In that case, the Response to Violation Report shall include a request for an on-site Probable Cause Hearing. This is not necessary if Wisconsin does not intend to initiate revocation of an offender's supervision.

Unless the offender has absconded or is convicted of a new felony or violent misdemeanor, no warrant should be issued by Wisconsin prior to a probable cause determination in the receiving state.

A Probable Cause Hearing may not be waived without a signed admission of at least one significant violation which will be used as a basis for revocation.

If there is no finding of probable cause, the receiving state shall:

1. Continue supervision if the offender is not in custody.
2. Notify the sending state to vacate the warrant, and continue supervision upon release if the offender is in custody on the sending state's warrant.
3. Vacate the receiving state's warrant and release the offender back to supervision within 24 hours of the hearing if the offender is in custody.

If probable cause is found and the agent has received the Probable Cause Hearing report or waiver with admission statement, the agent will arrange for the return of the offender to Wisconsin. If the probable cause finding is found on a rules violation, the agent and supervisor staffing decision may be to order the offender to return with specific reporting instructions or issue a warrant and coordinate retake. Once the offender has returned and reported in Wisconsin, the receiving state may close interest. If offender was retaken back to Wisconsin and following the disposition of the violation or revocation hearing, the agent may allow the offender to apply for a new compact transfer back to the receiving state. In probation cases only, the agent has seven days from the disposition of the violation to submit reporting instructions (See [ICAOS Rule 3.103](#) for further details.). The offender will pay a new interstate compact application fee.

If the violation is due to absconding or a new felony or violent misdemeanor conviction, the agent shall request a violation warrant identifying the reasons for the warrant from the DCC Extradition Office. The

Extradition Office will forward the warrant and the “Offender’s Application for Interstate Compact Transfer” to the holding facility in the receiving state or subsequent receiving state for coordinating retake upon completion of a term of incarceration for that conviction or placement under supervision for that felony or violent crime offense. Wisconsin will stop time and not allow the Wisconsin case to discharge. At the end of the incarceration term, Wisconsin Compact may ask the receiving state Compact to consider not invoking mandatory retake due to special circumstances.

#### **.06 ARRANGEMENTS FOR TRANSFER TO A THIRD-PARTY STATE**

An offender under supervision in another state may request transfer to a third state. If the agent and supervisor disapprove, the agent will submit a Compact Action Reply advising that the transfer plan is not approved and continued supervision in the current supervision state is required.

If the request is approved by the Wisconsin agent and supervisor, the Wisconsin agent is responsible for creating the new request, in ICOTS, to the third state. The Wisconsin agent initiates the process of a new application fee obligation and payment. Once all required information has been entered in ICOTS, but prior to submitting the transfer request, the agent should print the Offender’s Application for Transfer. The application must be sent to the offender’s supervising agent in the current receiving state. That agent must obtain and witness the offender’s signature. The original, signed document must be returned to Wisconsin and uploaded into the new ICOTS case. Only after the signed application is attached, may the transfer request be submitted.

The offender must remain in the current supervising state until the third-party state issues reporting instructions or formally accepts supervision.

**ACCEPTANCE BY THIRD-PARTY STATE:** Upon receipt of formal acceptance in the third-party state, the agent will submit a Compact Action Request, requesting the current supervising state to allow the offender to proceed to the third-party state with reporting instructions. The current supervising state will issue a travel permit to the offender and send a Case Closure Notice to Wisconsin. The Wisconsin agent will submit a Departure Notice to the new receiving state in ICOTS.

**REJECTION BY THIRD-PARTY STATE:** The Wisconsin agent will notify the original receiving state of the third state’s decision. If the offender has not left the original receiving state, the offender will remain under supervision in that state.

If the offender has been allowed to travel to the third-party state, and the original receiving state has closed interest, the offender must be ordered to return to Wisconsin for supervision. A new transfer request must be initiated before the offender is allowed to relocate to any other state.

### **.07 PROGRESS REPORTS**

Progress reports shall be provided by the receiving state for reporting imposed incentives/sanctions, provide documentation on compliant and non-compliant behavior that does not require retaking, ability to add new conditions imposed, to report new arrests, and include clear recommendations. Progress Reports are required upon request by the sending state. Compact rules allow for discretionary retake by the sending state.

Wisconsin agents can request Progress Reports from the receiving state via specialized Compact Action Request. The receiving state shall provide a Progress Report within 30 days of the request.

### **.08 DISCHARGE**

Discharge certificates for Wisconsin cases being supervised out-of-state are forwarded to the Wisconsin agent. The agent shall follow standard case discharge procedure.

When an offender has multiple cases, discharge certificates from single judgments will be forwarded to the Wisconsin agent, with instruction to retain all such discharges until an absolute discharge issued, and to then mail all discharges to the offender.

### **.09 AMENDED DISCHARGE DATES**

The receiving state will cease supervision of Wisconsin offenders on the Wisconsin discharge date indicated at the time of application for transfer unless advised otherwise, in advance. If the scheduled discharge changes, the agent must submit a Compact Action Request in ICOTS, advising the receiving state of the change. Attach any related court or administrative order. The agent should also update the supervision end date in ICOTS.

## **SUPERVISION OF CASES FROM OTHER STATES**

### **.01 POLICY**

Acceptance or rejection of a request for transfer of an offender from a sending state to Wisconsin will be based on the criteria for “Eligibility for Supervision” or “Eligibility-Special Circumstances” see Section 06 and ICAOS rule [3.101](#). The offender’s previous supervision experience, lack of treatment, pending charges, outstanding warrants, or threat to the community are not valid reasons for rejecting the offender’s supervision.

Subject to all other applicable criteria, Wisconsin will accept for supervision an offender from another state, without legal conviction, if the offender has entered a plea and a court has made a finding that the offender has committed a criminal offense.

## **.02 SUPERVISION CONDITIONS**

Wisconsin agents must enforce compliance with rules and conditions established by the sending state, other than financial conditions (see Definitions: [Supervision](#)). If Wisconsin is unable to enforce a condition imposed in the sending state, the agent shall notify the sending state in the Reply to Transfer Request. The sending state may then determine if the transfer will be allowed to go forward or be withdrawn.

The offender is responsible for direct payment of court obligations to the sending state. Financial obligations are not collected by the Wisconsin agent for the sending state. However, if notified by the sending state that the offender is not making required payments, the Wisconsin agent must notify the offender that he or she is in violation and must instruct the offender where payments are to be sent.

## **.03 DNA REQUIREMENT**

An offender who has been accepted for supervision in Wisconsin under the interstate compact is required to submit a DNA specimen to the State Crime Lab if applicable.

After the agent and IC Specialist or designee has submitted an acceptance recommendation in the ICOTS Reply to Transfer, the IC Specialist or designee will complete and email a DOC-2846 Office of Legal Counsel Request for DNA Testing for Interstate Compact Offender form and the following documents for all cases to [DOCOLCOfficeManager@wisconsin.gov](mailto:DOCOLCOfficeManager@wisconsin.gov):

1. Judgement of Conviction or equivalent
2. Law enforcement documents containing official details of offense
3. Sending State offense Statute
4. Any other court documents, if applicable

Office of Legal Counsel will review documents and determine if the offender is required to provide a DNA sample. After determination, the office of legal counsel will email the IC Specialist to inform them if the offender is required to provide a DNA sample. If the offender is required to provide a sample, the offender should be ordered to law enforcement for DNA submission, and the agent will enter a note in COMPAS regarding the order. Agent is responsible for following up to ensure that the DNA is submitted.

Decisions regarding Interstate Compact DNA requirements need to be communicated to the Regional DNA Subject Matter Expert for purposes of entering the DNA obligation into WICS.

#### **.04 TRANSFER REQUEST TO WISCONSIN**

##### OFFENDER IN WISCONSIN (WITH REPORTING INSTRUCTIONS) PRIOR TO INVESTIGATION

###### Forms Required

- Rules of Community Supervision
- [DOC-2110 Sex Offender Residence Assessment](#)

Wisconsin assumes responsibility for supervision when an offender, who has received reporting instructions, arrives and reports in Wisconsin as directed. The Compact Specialist will instruct the offender to report to an agent or office. The assigned agent shall have the offender sign the Rules of Community Supervision immediately, even if the transfer request has not yet been received. After verifying the offender's identity through reliable means of identification, e.g... driver's license, social security card, the State Identification (SID) number shall be queried via the Computerized Criminal History (CCH) to ascertain whether the offender has previous history in Wisconsin. If an SID number is not found, Electronic Fingerprint Scanning (EFS) should be utilized. If EFS is not available, an alternate method must be used such as another DCC office or law enforcement agency. The agent shall forward a Notice of Arrival through ICOTS as soon as the offender has reported in person.

Creating the Incoming Case in COMPAS: Issuance of reporting instructions does not imply that a case transfer will be accepted. Once the transfer request is received, the agent shall proceed with the investigation and make a recommendation to accept or deny the transfer.

If the transfer request is rejected, the sending state must order the offender back within 15 calendar days of receiving the reply. The Wisconsin agent requests returning reporting instructions and a returning notice of departure. Once returning offender arrives in the sending state, supervision responsibility reverts to the sending state. The agent should attempt to confirm that the offender did not remain in Wisconsin past the date to return.

For cases that originate in another state and are coming to WI for supervision under interstate compact, the following procedures will apply:

1. The status keeper will manually create the offender and case in [COMPAS](#) if needed. The status keeper will then add the status of "New Interstate Compact". [WICS](#) will not be used until offender is officially accepted with a Notice of Arrival. At that point, the OOA will then enter the SID # into COMPAS and [WICS](#) if available and submit the 2625 to the Status Keeper for creation of the Intake status. Once the case has been entered into [COMPAS](#) and a case manager is assigned, the agent will begin investigation.

2. All notes during investigation phase will be completed in [COMPAS](#).
3. However, a [COMPAS](#) assessment will not be completed until intake status has been assigned, and the acceptance and Notice of Arrival have been completed.
4. If acceptance and Notice of Arrival has not been completed, on day 30, the primary flag from the “New Interstate Compact” status will be automatically removed. The status keeper will add a “Pending” status with a reason of “Pending New IC Transfer Request”, which will be marked as primary. If Reply to Transfer Request and Notice of Arrival has not been completed, the “New Interstate Compact” status will remain active.
5. If the case is rejected, a [COMPAS](#) assessment will not be completed and rejection to include the rejection reason will be documented in the last general note entered in [COMPAS](#).

If the offender reapplies through ICAOS for supervision in WI for the same criminal conviction, documentation in [COMPAS](#) will remain under the same offender lifecycle. If the offender reapplies later for a new case entirely, a new case in [COMPAS](#) will be started indicating a second offender lifecycle.

#### SEX OFFENDER REQUESTING REPORTING INSTRUCTIONS:

When a sending state requests reporting instructions for a sex offender who has been placed on probation and who was already living in Wisconsin, an agent will be assigned to investigate the proposed residence before reporting instructions are issued. Within 5 business days of the request, the agent must complete a [DOC-2110 Sex Offender Residence Assessment](#), to determine if the proposed residence is acceptable under applicable laws or DOC policy.

Note: For any sex offender (by Wisconsin or sending state’s standards) requesting a transfer to Wisconsin, Central Office Interstate Compact staff will send an email requesting offense detail review by SOR to determine if the offender is required to register as a sex offender in Wisconsin. GPS and SBN screens to the GPS/SBN specialists with a copy to the agent of record or regional Interstate Compact specialist.

SOR Office Responsibilities – Retrieve and review the pertinent information from ICOTS. If additional information is needed, notify the Compact Office. SOR may ask Office of Legal Counsel to determine if the incoming offender will be required to register as a sex offender in Wisconsin. Following the screening, the GPS Specialist will notify the Compact Office and assigned WI agent of the results.

The agent will notify the Compact Specialist if the residence is acceptable. The assigned ICOTS user (agent or Compact Specialist) will complete and submit the sex offender reporting Instructions with approval or denial. If the Sex Offender Registry Program screen determines the offender is to be on lifetime GPS because they will reside, work, go to school, or seek vocation in Wisconsin, the ICOTS Response to Reporting Instructions or Reply to Transfer acceptance recommendation shall include the

following special condition: "This offender meets the criteria for Lifetime GPS tracking in the State of Wisconsin. As a result, he/she will be placed on the GPS tracking system upon arrival in Wisconsin. He/she may remain on the GPS tracker through the duration of residency in Wisconsin, including the time following discharge from supervision."

If the residence is not approved, the agent shall indicate the specific reason(s) why the residence is not acceptable and which mandatory eligibility criteria are not met ([ICAOS Rule 3.101](#)). The response should include a specific statement that the residence would not be allowed for an offender convicted in Wisconsin.

The Compact Specialist will review and approve the agent's decision and reasons. The Compact Specialist will submit the Response to Request for Reporting Instructions, in ICOTS, by the date due.

If the agent's investigation is not completed by the date due, reporting instructions must be issued.

## **.05 TRANSFER PROCESS**

### **COMPACT OFFICE RESPONSIBILITIES**

- Compact Office receives Transfer Request in ICOTS.
- Review request for compliance with ICAOS rules.
- Ensure all necessary forms and required documentation is present.
- Assign to appropriate Regional Compact Specialist or return to Sending State for action.

Note: For any sex offender requesting a transfer to Wisconsin, Central Office Interstate Compact staff will send an email requesting GPS and SBN screens to the GPS/SBN specialists with a copy to the agent of record or regional Interstate Compact specialist.

SOR Office Responsibilities – Retrieve and review the pertinent information from ICOTS. If additional information is needed, notify the Compact Office. SOR may ask Office of Legal Counsel to determine if the incoming offender will be required to register as a sex offender in Wisconsin. Following the screening, the GPS Specialist will notify the Compact Office and assigned WI agent of the results.

### **REGIONAL COMPACT SPECIALIST RESPONSIBILITIES**

- Obtain agent assignment from appropriate DCC office.
- Assign Transfer Request to agent in ICOTS.

- Notify the OOA via e-mail.
- Upon acceptance, verify DNA requirement ([See .03 DNA Requirement](#))

#### AGENT RESPONSIBILITIES

- Locate Transfer Request in ICOTS by clicking the Compact Workload tab or Offender Profile screen "Action Items."
- Investigate the Transfer Request. Verify proposed residence, means of support, and supervision plan.
- Within 30 days of assignment, make a recommendation to accept or deny the transfer. The recommendation should be reviewed with, and approved by, the supervisor.
- Submit the Reply to Transfer Request in ICOTS. If the recommendation is to accept, attach WI rules and any special conditions (e.g., OWI 2/3 requirements, sex offender lifetime GPS statement, etc.), and note if WI is unable to comply with any sending state conditions. If applicable, include reporting instructions. If the decision is to reject the transfer, the Reply must cite the mandatory compact eligibility criteria relied upon in making the decision.
- Upon the offender's departure from the sending state and their first report to the office, follow the necessary steps to obtaining an SID number. Submit an ICOTS Notice of Arrival. Notify WI Compact with an email to 'DOC DCC Interstate Compact' with the Transfer Request pdf document attached, requesting a new DOC number is generated in WICS (or the incoming case is added to an existing DOC number).

#### **.06 SUPERVISION OF CASES FROM ANOTHER STATE**

Offenders from other states are supervised in the same manner as if they had been convicted in this state. Agents must complete all the relevant case opening requirements, including obtaining a SID number, if the offender lacks a criminal history in Wisconsin.

Progress Reports shall document the following:

- Current residence and employment information,
- reporting imposed incentives and corrective sanctions,
- provide documentation on compliant and non-compliant behavior that does not require retaking,
- document if court-ordered conditions and rules are met with supporting documentation/completion certificate,
- add new conditions imposed,
- report new arrests,
- make clear recommendations.



Progress Reports are required to be created at a minimum every 180 days, and when there is significant activity in the case. A new task due for Progress Reports will be added by the Status Keeper every 180 days in Workload Manager. After agents have completed and the Progress Report has been submitted to the other state by the WI Compact Office, agents will receive a confirmation email that is automatically generated by the ICOTS system. Agents will send this confirmation email to the Status Keeper to remove the task due. A new Progress Report will be due in 180 days.

Progress Reports need to be completed through specialized Compact Action Request (CAR) when requested by the sending state. The agent will complete the *pending* Progress Report activity (no need to create a new one) so as to reply in relation to the CAR.

When submitting a Progress Reports for non-compliant behavior that does not raise to the level of revocation, or any new arrest with pending charges, the Progress Report must be submitted within 30 days of discovery of the violation(s). The report must include any relevant supporting documentation, including but not limited to:

- Signed Violation Summary
- Police reports
- Toxicology reports
- Witness statements
- Offender's statements
- Preliminary hearing findings

## **.07 VIOLATIONS FOR CASES FROM ANOTHER STATE**

**INVESTIGATION AND RECOMMENDATION:** Violations will be investigated and case decisions made according to standard procedure. If a new felony or violent misdemeanor conviction or significant violation has been committed, which would be grounds for revocation in Wisconsin, the agent will submit a Behavior Requiring Retake Report in ICOTS. The recommendation should be to request a warrant or order the offender to return to the sending state.

**ALTERNATIVES TO REVOCATION:** Compact rules require that offenders from other states be supervised in a manner consistent with supervision of similar offenders convicted in Wisconsin. Consequently, offenders supervised under the interstate compact are eligible to participate in programs available to other offenders including DAI-ATR programs.

If an ATR is appropriate and the offender agrees to participate in the program, the agent should clearly advise the sending state a program is available as an alternative to revocation in a Progress Report. Both the offender and the sending state should be aware that failure to complete the ATR program will be

considered a behavior requiring retaking and will result in a new recommendation that the sending state retake the offender.

If all community supervision options are exhausted and violations rise to the level of revocation, Wisconsin may invoke mandatory retake of the offender by submitting an ICOTS Violation or Behavior Requiring Retaking Report.

**SUBMIT ICOTS VIOLATION OR BEHAVIOR REQUIRING RETAKING REPORT.** The Violation Report must be submitted within 30 days of discovery of the violation(s). The report must include any relevant supporting documentation (or reference date of Progress Report where supporting documentation was previously submitted), including but not limited to:

- Police reports
- Toxicology reports
- Witness statements
- Offender's statements
- Preliminary hearing findings

If the violation(s) include any of the following circumstances:

- Abscond;
- new felony conviction; or
- new misdemeanor conviction for a violent crime

Wisconsin may invoke mandatory retake of the offender.

If no ICOTS Response to Violation is received from the sending state within ten (10) business days, the agent may submit a Compact Action Request in ICOTS, requesting a Response to Violation Report. If the receiving state has not responded within five (5) working days of the follow-up request, ask the Compact Specialist or Deputy Compact Administrator to contact the Compact Administrator's office in the sending state to request assistance in obtaining a disposition.

Custody of an offender under supervision for another state is subject to the procedures for extending detention in the Violations section under Custody/Extension. The agent, supervisor, and regional chief must consider whether or not the offender should continue in custody pending a response from the sending state. A Probable Cause Hearing should be held or the Order to Detain canceled. If custody is continued, the Administrator's extension must be obtained, even if a Probable Cause Hearing has taken place. If the Order to Detain is canceled, the Wisconsin agent shall resume supervision. If there are pending charges, inform the Court/District Attorney in advance of cancelling the Order to Detain so they

may consider an amended bail/bond hearing. Note: new arrests are reported via Progress Report (see 06., above).

ON-SITE PROBABLE CAUSE HEARING: If an on-site Probable Cause Hearing is necessary, the hearing will be scheduled pursuant to the requirements for preliminary hearings used for Wisconsin offenders. The agent will notify the offender of the hearing through the Notice of Interstate Compact Probable Cause Hearing ([DOC-415A](#)). The offender must be afforded the opportunity to confront witnesses against them and present evidence and witnesses in their defense. A Probable Cause determination must be made by the Hearing Magistrate on each allegation. The Magistrate will not make a custody decision.

A Probable Cause Hearing is not required if the basis for retaking is a new felony and offender has been convicted of the new felony offense. A copy of the judgment of conviction is conclusive proof that the offender may be retaken without further proceedings.

The offender may not waive the Probable Cause Hearing unless the waiver is accompanied by a signed statement admitting to one or more significant violations. If the offender chooses to waive the Probable Cause Hearing, the agent will complete the Notice of Interstate Compact Probable Cause Hearing ([DOC-415A](#)) form to facilitate this process. An ICOTS Addendum to Violation Report is submitted with the individual's written statement requiring retaking attached.

Within 10 work days of the hearing, the Magistrate shall prepare a letter of decision that identifies the time, date, and location of the hearing, lists the parties present at the hearing, and includes a clear and concise summary of the testimony taken and the evidence relied upon in rendering a decision. The letter of decision and any reports or exhibits, or the signed waiver ([DOC-415A](#)) and admission, will be forwarded to the sending state in an Addendum to Violation Report, requesting that state to issue its warrant and file a detainer with the holding facility.

The agent will cancel the Order to Detain upon verification that the other state's detainer has been received at the holding facility. Wisconsin will not close interest in a case while the sending state is in the process of retaking the offender. Once the sending state has taken custody of the offender, the Wisconsin agent shall submit a Case Closure Notice in ICOTS. Offenders from other states are eligible for Short-Term Sanctions.

## **.08 ABSCONDING**

An offender who is absent from his or her approved residence or place of employment, for the purpose of avoiding supervision, may be an absconder. The agent shall attempt to locate the offender by

conducting a field contact at the last known residence, contact the last known employment, if applicable, and contact known family members and collateral contacts. After attempts to locate the offender have failed, an Apprehension Request ([DOC-58](#)) shall be issued. The agent must check NO in the Extradite section of the [DOC-58](#). Under no circumstances will the Apprehension Request be entered in NCIC. When the offender is apprehended, follow standard violation investigation procedures.

If the offender's whereabouts are still unknown after thirty (30) days, the Apprehension Request must be canceled. Wisconsin may close interest in a case upon notification to the sending state that an offender has absconded. However, if it is believed that the offender may still be in the area and poses a public safety risk, the Apprehension Request may remain active along with the interstate case. Once the sending state's warrant has been confirmed in NCIC, however, the case should be closed and the Apprehension Request canceled. A Violation Report is submitted in ICOTS and should be followed by a Case Closure Notice. The agent does not have to wait 30 days to send the Violation Report if they have determined that the offender absconded from supervision. The Violation Report shall include conducting a field contact at the last known place of residence, contacting the last known place of employment, contact attempts and dates made to known family members and collateral contacts, and contact attempts and dates made to locate the offender.

Occasionally, an offender who has absconded is subsequently arrested in Wisconsin on the sending state's warrant. In those cases, and upon the request of the sending state, Wisconsin will conduct a Probable Cause Hearing on the violations, unless waived by the offender with admission statement to one or more violations. An agent in the county where the offender is in custody will be assigned to conduct the hearing or obtain a hearing waiver.

#### **.09 WAIVER OF EXTRADITION**

An offender must waive all rights to extradition proceedings at the time of application for transfer under the Interstate Compact. By Compact rule, an offender pending retaking is not eligible to be released on bail. An offender being retaken by a sending state must be released to duly authorized agents of the sending state without extradition.

#### **.10 OUT OF STATE TRAVEL**

Offenders from other states may be issued travel permits for specific or daily activity (including blanket travel permits back to the sending state) in the same manner as Wisconsin's offenders. The agent must notify the sending state at least 20 business days in advance of a travel permit being issued (ICAOS 3.110).

#### **.11 RETURN TO SENDING STATE**

An offender under supervision for another state may request to return to that state. Prior to allowing an offender to move back to the sending state, the Wisconsin agent must submit a Request for Reporting Instructions in ICOTS, indicating the offender is a “transferred offender returning to sending state.” The request will provide the offender’s destination in the sending state, including address and phone number.

In most cases, the sending state must provide reporting instructions within two business days of receiving the request. In a victim sensitive case, the sending state shall give the victim at least 20 business days advanced notice for their right to be heard prior to issuing the instructions. The offender may not be allowed to leave Wisconsin prior to receiving reporting instructions.

Upon receipt of reporting instructions, the agent will provide the offender with the reporting instructions and a Travel Permit and submit a Case Closure Notice in ICOTS.

#### **.12 ARRANGEMENTS FOR TRANSFER TO A THIRD STATE**

An offender being supervised for another state may request a transfer to a third state. To initiate the request, the Wisconsin agent will submit a Compact Action Request and Progress Report in ICOTS. Responsibility for arranging transfer to the third state rests with the original sending state.

If requested, the Wisconsin agent will assist the sending state in obtaining the offender’s signature on the ICAOS “Offender’s Application for Interstate Transfer.” The offender must remain in Wisconsin until the sending state advises that the transfer has been accepted in the third state or provides reporting instructions.

Upon notice of acceptance or issuance of reporting instructions in the third state, the Wisconsin agent will issue a Travel Permit and submit a Case Closure Notice in ICOTS.

If the sending state advises that the transfer request is not approved by either the sending state or the third state, supervision will continue in Wisconsin. If the offender has been permitted to travel to the third state with reporting instructions, the offender shall be ordered to return to Wisconsin and supervision will continue.

If the offender fails to return as directed, the agent will submit an absconder Violation Report and a Case Closure Notice in ICOTS.

**.13 EARLY DISCHARGE**

Early discharge from supervision can only be granted by the sending state. When an agent feels that a case merits such consideration, a Progress Report is sent to the sending state in ICOTS. If the sending state does not issue an early discharge, supervision must be continued by the Wisconsin agent until the scheduled discharge date.

**.14 DEATH OF OFFENDER**

In the event of a Compact offender's death, the Wisconsin agent will obtain verification. A death certificate is not required. A Case Closure Notice with death verification shall be submitted to the sending state in ICOTS.

**.15 CASE TERMINATION**

The DCC Interstate Compact Office, upon receipt of a Case Closure Notice, will prompt Central Records Unit (CRU) staff to close the Out of State case for those offenders being supervised by Wisconsin for another state. If there are no other open cases, CRU staff will issue a termination number. If the offender is being supervised for Wisconsin in another state, the Out of State status will be removed in WICS.

Supervision will cease and a Case Closure Notice shall be submitted in ICOTS upon:

- the date of discharge, unless informed of an earlier or later date by the sending state;
- notification to the sending state that the offender has absconded;
- notification to the sending state that the offender has been sentenced to incarceration for more than 180 days;
- notification of death; or
- return to sending state.

## **SUPERVISION\DCC\SUPERVISION PROCESS\REVOCATIONS**

### **.09 COMPETENCY CONCERNS**

If there are reasons to doubt the competency of the offender to participate in the revocation process prior to the final hearing, the agent should contact the Office of Hearings and Appeals to request an expedited status conference. The agent and the offender's attorney may present information specific to the offender's ability to understand the nature of the proceeding or to assist in defense. The Administrative Law Judge will make a determination whether to hold an informational hearing to address those concerns or, more likely, will send a Vanderbeke letter (State ex rel. Vanderbeke v Endicott, 210 Wis.2d 503) without convening a hearing to the circuit court requesting a competency evaluation.

If the offender is found not competent or not likely to regain competency by the circuit court judge, the revocation must be withdrawn and supervision must resume. The agent should work closely with community mental health providers during the duration of supervision. Custodies due to violations may continue to occur. It is critical that the agent continue to be in close communication with mental health providers regarding disposition to the violation and subsequent case planning.

If the offender is found not competent but is likely to regain competency by the circuit court judge, the revocation, which was stayed by the ALJ, should remain stayed while the offender receives treatment until the offender regains competency or for a period not to exceed 12 months, or the maximum sentence specified for the most serious offense with which the defendant is charged, whichever is less. The offender shall receive custody credit while detained or receiving treatment. Once the offender regains competency, the agent should notify the ALJ and the offender's attorney to resume the revocation.

# **SUPERVISION\DCC\SUPERVISION PROCESS\PRESCRIPTION DRUG MONITORING PROGRAM**

## **Prescription Drug Monitoring Program (New Section)**

### **PRESCRIPTION DRUG MONITORING PROGRAM**

#### **.01 AUTHORITY**

[Wisconsin Statutes §146.82 \(2\)\(a\)5](#)

[Wisconsin Statutes §146.83](#)

[Wisconsin Statutes §304.06 \(3\)](#)

[Wisconsin Statutes §973.10 \(2\)](#)

[Wisconsin Administrative Code CSB 4.11 \(5\)](#)

[Wisconsin Administrative Code DOC 328.04](#)

[Wisconsin. Administrative Code DOC 331.03](#)

[Executive Directive 35](#)

[Administrative Directive xx](#)

#### **.02 GENERAL STATEMENT**

The ePrescription Drug Monitoring Program (ePDMP) is a website maintained by the Wisconsin Department of Safety and Professional Services. Healthcare professionals provide information about controlled substance prescriptions that are dispensed. Wisconsin law permits government employees to request and receive the minimum necessary amount of information from the website in a monitored prescription drug history report about a patient, patient address, practitioner, or dispenser information if the purpose of the request is a legally authorized function of the governmental agency.

#### **.03 PROCEDURES**

1. Regions shall designate a limited number of staff authorized to access the ePDMP system.
2. Agents shall submit a DOC-2892 Prescription Drug Management Program Attestation Letter to designated staff to obtain a Patient Query concerning an offender.



3. A Patient Query may only be requested under the following circumstances and only if necessary to perform a specific job duty:
  - The Department alleges condition(s) or rule(s) of supervision have been violated and an investigation is necessary consistent with Wis. Stat. §304.06 (3) and 973.10 (2) as well as Wis. Admin. Code DOC 331.03.
  - The information is necessary to assist in a mortality review pursuant to Wis. Stat. §146.83.
  - The information is necessary for appropriate supervision, monitoring compliance with rules and conditions of supervision, and/or maintaining complete and accurate case records pursuant to Wis. Admin. Code DOC 328.04 (2) (a), (i), and (j).
4. Designated staff will submit the Patient Query request to the Department of Safety and Professional Services (DSPS) via ePDMP. DSPS will conduct a legal review of the DOC-2892 Prescription Drug Management Program Attestation Letter and Patient Query. DSPS typically responds within 1-3 business days.
5. Designated staff will provide the Patient Query response to the requesting agent.
6. Receipt of the information shall be documented in COMPAS notes.

#### **.04 EVIDENCE IN VIOLATION INVESTIGATIONS OR REVOCATION PROCEEDINGS**

Documents or information retrieved shall not be used as evidence. Information gained may be used to inform an investigation. Evidence should be secured from the original source of the information.

#### **.05 CONFIDENTIALITY**

Employees shall only access the minimum information necessary to perform the job duty in question and information shall only be requested by those with a specific job duty requiring the information. Information may not be re-disclosed without written patient authorization or pursuant to a court order. Disclosure without patient authorization is limited to statutory exceptions under applicable Wisconsin or Federal law.

The information obtained from the PDMP shall be treated as a medical record and will be protected in accordance with federal and state laws and Department policies governing healthcare information. All Terms and Conditions specified during PDMP account registration shall be followed.

Account holders and supervisors shall ensure user access is discontinued in the event the employee leaves Division of Community Corrections employment. Contact PDMP@Wisconsin.gov to request deactivation of an account, including the employee's name and email address.

#### **.06 RECORDS DISPOSAL AUTHORIZATION**

The Attestation Letter and responsive Patient or other query will be saved in the confidential section of the case file.

## **SUPERVISION\DCC\EARLY DISCHARGE**

### **Early Discharge**

#### **AUTHORITY**

[Wisconsin Statutes 973.09\(3\)\(d\)](#)

[Wisconsin Statutes 302.11\(6\)](#)

Providing incentives and reinforcement for positive behavior has been identified as an important factor in promoting behavior change for offenders and should be utilized as part of the case planning process. Early discharge is one incentive that can encourage compliance with supervision as well as sustained behavioral change when used appropriately.

Only offenders on probation or parole are eligible for early discharge, including those supervised in another state under Interstate Compact. Offenders on Extended Supervision are not eligible for early discharge. An offender placed on lifetime supervision may petition the court for early discharge.

The agent will inform the offender of the early discharge criteria and identify the goals and objectives that need to be completed in order to be considered. This discussion should take place during the intake process and must be documented in the COMPAS notes.

#### **EARLY DISCHARGE REVIEW**

Early discharge reviews for probationers and parolees shall take place during the offender's regular report sessions as follows:

- Non-assaultive misdemeanors: Ninety days prior to initial eligibility.
- All other offenders: Upon initial eligibility and every six months thereafter.

This review shall include a discussion of the offender's progress on meeting the goals and objectives of supervision and be documented in COMPAS notes.

#### **ELIGIBILITY FOR EARLY DISCHARGE**

##### **PROBATIONER**

- Served at least 50 percent of the probation term.

- Minimum or Administrative supervision for a reasonable period of time
- Satisfied all conditions of probation that were set by the sentencing court
- Satisfied all rules and conditions that were set by the Department
- Fulfilled all financial obligations to his or her victims, the court, and the department, including the payment of any fine, forfeiture, fee or surcharge, or order of restitution.
- No outstanding warrants
- Not required to register under [s.301.45](#)

### **PAROLEE**

- Reached mandatory release date or has been under supervision for two years
- Minimum or Administrative supervision for a reasonable period of time
- Satisfied all conditions that were set by the sentencing court
- Satisfied all rules and conditions that were set by the Department
- Fulfilled all financial obligations to his or her victims, the court, and the department, including the payment of any fine, forfeiture, fee or surcharge, or order of restitution
- No outstanding warrants

### **VICTIM NOTIFICATION**

Agents should contact victims of convictions and read-ins by sending them a Victim Request for Notification ([DOC-2623](#)) during the offender's intake process. The [DOC-2623](#) will explain the goals and objectives of supervision, including revocation and early discharge. The [DOC-2623](#) provides the victim with the opportunity to enroll for notification should a change in status occur.

The notification system does not automatically generate notification concerning early discharge consideration. The agent shall contact the victim prior to an early discharge request being submitted, and any comments shall be documented on the Early Discharge Victim Statement ([DOC-2566](#)). Prior to submitting the early discharge petition (CR-284) to the court, the agent shall notify the victim. If the victim is enrolled with the Office of Victim Services and Programs (OVSP), the victim button in WICS will be checked and the agent can call OVSP to obtain a current address. If victim contact is not made, the contact efforts shall be entered in the case notes.

Other available resources to obtain victim information include CCAP, PSI, local victim/witness coordinator or other collateral sources.

#### **PROCEDURE FOR PROBATION EARLY DISCHARGE RECOMMENDATIONS**

1. All recommendations for early discharge must be staffed with a supervisor. Prior to the staffing, the agent shall complete the Early Discharge Recommendation for Probation (DOC-2528). The staffing discussion will include the information on the DOC 2528 and any other relevant information.
2. Upon supervisory approval, the agent shall submit the CR-284 Petition for Early Discharge from Probation, and the CR 285-Order on Petition for Early Discharge from Probation. The CR-284 should be sent in a PDF format; the CR-285 in a Word (.docx) document format. Additional information may be provided to the court as a memorandum. The memorandum may include summary of adjustment to supervision (residential stability, employment, completion of treatment, violations) and victim input considerations.
3. Upon approval by the Court, the Court will complete the CR-285 (Order on Petition for Early Discharge from Probation) and return to the DOC. Upon receipt, procedures outlined in the Case Closing section of ECRM and the DOC 2877 Discharge Checklist shall be completed.

#### **PROCEDURE FOR PAROLE EARLY DISCHARGE**

1. The agent will complete a Parole Early Discharge Investigation (DOC-2528A) for eligible individuals as assigned. A status of "Parole Early Discharge Investigation" will be assigned for 30 days.
2. The agent shall staff the offender under consideration with the supervisor. The DOC-2528A shall be completed by the agent within 20 days of assignment. The supervisor review shall be completed within 5 days. The 2528A shall be forwarded to the regional office for review. Within five days, the Regional Office will review the DOC 2528A and submit it to the DCC Administrator's Office. Recommendations shall not be included on the DOC-2528A.
3. The Administrator's Office will notify the Regional Office and status keepers concerning approvals and denials. Notification will also be provided from the Administrator's Office to Central Records Unit in the event of approvals for issuance of a termination number and discharge certificate, as needed.

4. Regional Office shall notify the agent. Upon notification the individual has been approved or denied for early discharge, the agent shall document the decision with a COMPAS Note and discuss the outcome with the offender. Complete procedures in the Case Closing section of ECRM and the DOC 2877 Discharge Checklist.